

UNITED STATES STATUTES AT LARGE

CONTAINING THE

LAWS AND CONCURRENT RESOLUTIONS
ENACTED DURING THE FIRST SESSION OF THE
SEVENTY-FIFTH CONGRESS
OF THE UNITED STATES OF AMERICA

1937

AND

TREATIES, INTERNATIONAL AGREEMENTS OTHER
THAN TREATIES, AND PROCLAMATIONS

COMPILED, EDITED, AND INDEXED BY AUTHORITY OF CONGRESS
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PART 2

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THAN TREATIES, AND PROCLAMATIONS

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The original of every act and joint resolution printed in this volume has the following heading:

SEVENTY-FIFTH CONGRESS OF THE UNITED STATES OF AMERICA;

AT THE FIRST SESSION,

BEGUN AND HELD AT THE CITY OF WASHINGTON ON TUESDAY, THE FIFTH DAY OF JANUARY,
ONE THOUSAND NINE HUNDRED AND THIRTY-SEVEN.

All bills and joint resolutions presented to the President of the United States bear the signatures of the Speaker (or of the Speaker *pro tempore*) of the House of Representatives and of the Vice President and President of the Senate (or of the President of the Senate *pro tempore*); those signatures accordingly appear on the originals of all acts and joint resolutions.

The signature of the President of the United States appears on the originals of all approved acts and joint resolutions.

The original of every act and joint resolution has endorsed thereon a certificate of origin, signed, as the case may be, by the Clerk of the House of Representatives or by the Secretary of the Senate and reading "I certify that this Act (or Joint Resolution) originated in the House of Representatives (or Senate)." The origin of each act and resolution contained in this volume is indicated in the margin at the beginning of each enactment; thus, for example, H. R. 3112 or H. J. Res. 185 indicates origin in the House of Representatives; and S. 591 or S. J. Res. 17 indicates origin in the Senate.

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PRIVATE LAWS

PRIVATE LAWS

ENACTED DURING THE

FIRST SESSION OF THE SEVENTY-FIFTH CONGRESS

OF THE

UNITED STATES OF AMERICA

Begun and held at the City of Washington on Tuesday, January 5, 1937, and adjourned without day on Saturday, August 21, 1937

FRANKLIN D. ROOSEVELT, President; JOHN N. GARNER, Vice President; KEY PITTMAN, President of the Senate *pro tempore*; WILLIAM B. BANKHEAD, Speaker of the House of Representatives; LINDSAY C. WARREN, Speaker of the House of Representatives *pro tempore*, May 24–June 1, 1937.

[CHAPTER 3]

AN ACT

Granting a pension to Grace G. Coolidge.

January 14, 1937
[S. 501]

[Private, No. 1]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs is authorized and directed to place on the pension rolls the name of Grace G. Coolidge, widow of Calvin Coolidge, late a President of the United States, and to pay her a pension at the rate of \$5,000 per annum.

Grace G. Coolidge.
Pension granted to

Approved, January 14, 1937.

[CHAPTER 14]

AN ACT

For the relief of Ralph C. Irwin.

February 23, 1937
[H. R. 3112]

[Private, No. 2]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the appointment of Ralph C. Irwin as regular village letter carrier at Brea, California, on the 16th day of March 1929, shall hereafter be held to have been regularly and duly made as of that date and he shall be entitled to compensation from that date in accordance with the laws and postal regulations governing appointments and promotions for length of service.

Ralph C. Irwin.
Postal service record
corrected.

Approved, February 23, 1937.

[CHAPTER 23]

AN ACT

For the relief of James Luker, Senior.

March 1, 1937
[H. R. 824]

[Private, No. 3]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized and directed to pay, out of the current appropriation of the Navy Department for awards of six

James Luker, Senior.
Navy gratuity pay
to, for death of son

months' gratuity to beneficiaries of deceased enlisted men of the Navy, to James Luker, Senior, father of George De Witt Luker, late an enlisted man in the Navy, who was killed as a result of a powder explosion on board the United States ship Trenton on October 22, 1924, the sum of \$324, being a gratuity equal to six months' pay at the rate received by George De Witt Luker at the time of his death: *Provided*, That James Luker, Senior, shall first establish to the satisfaction of the Secretary of the Navy that he was actually dependent upon said George De Witt Luker at the time of the latter's death.

Approved, March 1, 1937.

[CHAPTER 30]

AN ACT

March 5, 1937

[S 84]

[Private, No 4]

To provide for the issuance of a license to practice the healing art in the District of Columbia to Doctor Ralph Charles Stuart.

Dr Ralph Charles
Stuart
License to practice
the healing art in the
District of Columbia
granted to

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any limitation relating to the time within which an application for a license must be filed, the Commission on Licensure to Practice the Healing Art in the District of Columbia is hereby authorized and directed to issue a license to practice the healing art in the District of Columbia to Doctor Ralph Charles Stuart, of Sangerville, Maine, in accordance with the provisions of the first paragraph of section 24 of the Healing Arts Practice Act, District of Columbia, 1928.

45 Stat 1334.

Approved, March 5, 1937.

[CHAPTER 31]

AN ACT

March 5, 1937

[S 989]

[Private, No 5]

To provide for the issuance of a license to practice the healing art in the District of Columbia to Doctor Clarence Quinton Pair.

Dr Clarence Quinton
Pair
License to practice
the healing art in the
District of Columbia
granted to

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any limitation relating to the time within which an application for a license must be filed, the Commission of Licensure to Practice the Healing Art in the District of Columbia is authorized and directed to issue a license to practice the healing art in the District of Columbia to Doctor Clarence Q. Pair, Washington, District of Columbia, in accordance with the provisions of the first paragraph of section 24 of the Healing Arts Practice Act, District of Columbia, 1928.

45 Stat 1334

Approved, March 5, 1937.

[CHAPTER 37]

AN ACT

March 10, 1937

[H R 2772]

[Private, No 6]

For the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department.

Army
Credit allowed in
accounts of designated
disbursing officers, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of the following disbursing officers of the Army of the United States the amounts set opposite

their names: Captain Bigelow B. Barbee, Finance Department, \$30; Major Stephen R. Beard, Finance Department, \$30; Captain George W. Brent, Coast Artillery, \$25; Major Richard L. Cave, Finance Department, \$64; Major Walter D. Dabney, Finance Department, \$92.30; Major Edmund W. McLarren, Finance Department, \$30; Captain Leighton N. Smith, Finance Department, \$45; Major Arthur O. Walsh, Finance Department, \$25; and Captain Hugh Whitt, Finance Department, \$25, said amounts being public funds for which they are accountable and which comprise minor errors in computation of pay and allowances due former members of the Civilian Conservation Corps, who are no longer enrolled in that corps, and which amounts have been disallowed by the Comptroller General of the United States: *Provided*, That no part of the amounts so credited shall be later charged against any individual other than the various payees.

Proviso.
Accountability.

SEC. 2. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Captain William H. Buechner, Tenth Infantry, the sum of \$49, representing refundments of overpayments made allottees of Civilian Conservation Corps enrollees, the collection of which amount cannot be effected from the persons to whom such erroneous payments have been made: *Provided*, That no part of this amount shall be charged to any person other than the payees.

Captain William H.
Buechner.
Payment to.

Proviso
Accountability

SEC. 3. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Major John B. Harper, Finance Department, the sum of \$1,509.59, public funds for which he is accountable and which represent items disallowed by the Comptroller General of the United States.

Major John B. Har-
per
Credit allowed in
accounts of

SEC. 4. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Captain Albert J. Leavitt, Engineer Reserve, the sum of \$67.48, or so much of said sum as shall have been collected from him prior to the approval of this Act, representing refundment of Government funds which were stolen from his Civilian Conservation Corps company safe on April 18-19, 1936: *Provided*, That no part of this amount shall be charged to any person other than the person committing said theft.

Captain Albert J.
Leavitt
Payment to.

Proviso
Accountability

SEC. 5. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Captain Richard Lee, Corps of Engineers, the sum of \$583.69, public funds for which he is accountable and which were paid by him to the Memphis Packet Company for freight shipments by water, and which amount has been disallowed by the Comptroller General of the United States.

Captain Richard
Lee.
Credit allowed in
accounts of.

SEC. 6. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Major Charles Lewis, Finance Department, the sum of \$295.38, public funds for which he is accountable and which were paid by him on fraudulent vouchers prepared by an employee of the finance office at Fort Benjamin Harrison, Indiana.

Major Charles
Lewis
Credit allowed in
accounts of

SEC. 7. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Captain Elbert W. Martin, Field Artillery Reserve, the sum of \$45.68, public funds for which he is accountable and which were destroyed by fire on the night of November 15-16, 1935, and which sum he has refunded to the United States.

Captain Elbert W.
Martin
Payment to.

Major Frank E.
Parker
Credit allowed in
accounts of

SEC. 8. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Major Frank E. Parker, Finance Department, the sum of \$4,449.80, public money for which he is accountable and which has been disallowed in his accounts by the Comptroller General of the United States on account of payments made to emergency nurses on duty with the Civilian Conservation Corps during the period November 1933 to August 31, 1935, in compliance with the Executive order of the President dated May 8, 1933.

Captain Alexander
H. Perwein
Credit allowed in
accounts of

SEC. 9. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of First Lieutenant (now Captain) Alexander H. Perwein, Finance Department, the sum of \$2,038, public money for which he is accountable and which was paid in error to Civilian Conservation Corps enrollees on properly certified vouchers for the month of September 1933, and which amount has been disallowed in his accounts by the Comptroller General: *Provided*, That no part of the amount so credited shall be charged to any person other than the various payees: *Provided further*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Captain C. McL. Lott, United States Marine Corps, so much of said sum as shall have been collected from him prior to the approval of this Act.

Provisos
Accountability.

Captain C. McL.
Lott, payment to

Limitation on at-
torney's, etc., fees

Penalty for viola-
tion

SEC. 10. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, March 10, 1937.

[CHAPTER 38]

AN ACT

For the relief of Lewis Clark and Freda Mason.

March 11, 1937
[H. R. 911]

[Private, No. 7]

Lewis Clark and
Freda Mason
Payment to

Proviso
Limitation on at-
torney's, etc., fees.

Penalty for viola-
tion

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lewis Clark and Freda Mason, of Bayard, West Virginia, the sums of \$89 and \$65, respectively; in all, \$154, in full satisfaction of their claims against the United States for the destruction of a safe and for the use of a bloodhound in the apprehension of suspects, resulting from the burglary of the post office at Bayard, West Virginia, on January 25, 1929: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, March 11, 1937.

[CHAPTER 39]

AN ACT

For the relief of Fields B. Arthur and Arthur L. Allen, copartners, Colorado Culvert and Flume Company; Glen Haller, Kenneth Austin, A. B. Hoffman, J. W. Jones, and Lloyd Lasswell.

March 11, 1937

[H. R. 1120]

[Private, No. 8]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to settle and adjust the following claims of creditors who furnished services or supplies to E. M. Harris and Sons, Sugar City, Colorado, under their contract, Als-3951, dated July 18, 1929, for the construction of the Blue Lake Road, extension numbered 584, within the San Isabel National Forest, Huerfano County, Colorado, and who were prevented from bringing a timely suit under the provisions of the Act of August 13, 1894, as amended (33 Stat. 811), against the surety of said E. M. Harris and Sons, after their default in the performance of said contract, by the Government's failure to notify them of the final settlement date of said contract:

(1) Fields B. Arthur and Arthur L. Allen, copartners, doing business as Arthur and Allen, in a sum not exceeding \$1,004.67;

(2) Colorado Culvert and Flume Company, in a sum not exceeding \$596.51;

(3) Glen Haller, in a sum not exceeding \$247.60;

(4) Kenneth Austin, in a sum not exceeding \$110;

(5) A. B. Hoffman, in a sum not exceeding \$66.35;

(6) J. W. Jones, in a sum not exceeding \$43; and

(7) Lloyd Lasswell, in a sum not exceeding \$22.

SEC. 2. There is hereby appropriated out of any money in the Treasury not otherwise appropriated, the sum of \$2,090.13, or so much thereof as may be necessary to pay said claims.

SEC. 3. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, March 11, 1937.

Arthur and Allen,
and others.
Adjustment of
claims authorized.

33 Stat. 811.

Appropriation.

Limitation on at-
torney's, etc., fees

Penalty for viola-
tion.

[CHAPTER 42]

AN ACT

For the relief of Edna M. Callahan and Anna Scott.

March 15, 1937

[H. R. 601]

[Private, No. 9]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edna M. Callahan the sum of \$3,500 and to Anna Scott the sum of \$1,500. Such sums shall be in full settlement of all claims against the United States on account of injuries sustained by the said Edna M. Callahan and Anna Scott on or about the 10th day of October 1932 while aboard a boat provided by the Navy Department of the United States plying between the Fifth Street Landing at San Pedro, California, and the United States ship Relief, lying in the harbor of San Pedro, at San Pedro, California: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum

Edna M. Callahan
and Anna Scott
Payment to.

Proviso
Limitation on at-
torney's, etc., fees.

Penalty for viola-
tion.

of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, March 15, 1937.

[CHAPTER 44]

AN ACT

For the relief of Brook House, Limited, of Sydney, Australia.

March 17, 1937

[H. R. 1097]

[Private, No. 10]

Brook House, Lim-
ited.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture be, and he is hereby, authorized and directed to pay to Brook House, Limited, of Sydney, Australia, a sum equivalent at the rate of exchange current at the time of payment to 101 pounds, 8 shillings, Australian currency, in full settlement of its claim against the United States on account of rental of space for the period of July 1 to December 31, 1933, inclusive, in connection with a lease of quarters to the agricultural commissioner of the United States at Sydney, New South Wales, Australia, said lease dated April 17, 1931, and there is hereby reappropriated for the purposes of this Act so much of the unexpended balance as may be necessary, of the appropriation "34303—Salaries and expenses, Bureau of Agricultural Economics, 1934", which has heretofore been covered into the surplus fund of the Treasury.

Fund available.

47 Stat. 1458.

Approved, March 17, 1937.

[CHAPTER 45]

AN ACT

For the relief of William L. Jenkins.

March 18, 1937

[H. R. 1098]

[Private, No. 11]

William L. Jenkins.
Payment to

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$481.50 to William L. Jenkins, formerly American consul at Trebizond, Turkey, in full settlement of his claim against the United States for his failure to receive a like amount appropriated for his relief in Public Law Numbered 519, approved July 3, 1930 (46 Stat. 886), such sum representing the value of personal property lost by him during 1919 as a result of civil disturbances at Trebizond, and which sum was used by the General Accounting Office as a set-off against his then-existing indebtedness to the United States in the amount of \$2,000, but subsequently credited to his accounts by authority of Private Law Numbered 30, approved May 8, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, March 18, 1937.

Penalty for viola-
tion.

49 Stat. 2056.
Proviso
Limitation on at-
torney's, etc., fees.

46 Stat. 886.

[CHAPTER 52]

AN ACT

For the relief of Michael E. Sullivan.

March 24, 1937
[H. R. 1086]
[Private, No. 12]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of Michael E. Sullivan, postmaster at Park Ridge, Illinois, with the sum of \$14,679.29, representing the amount of public funds and property lost in the burglary of the post office at Park Ridge, Illinois, on March 6, 1935, such loss having resulted from no fault or negligence on the part of said postmaster, as determined by the Postmaster General under a provision in title 39, United States Code, section 49.

Michael E. Sullivan
Credit in postal accounts.

39 U. S. C. § 49.

Approved, March 24, 1937.

[CHAPTER 54]

AN ACT

For the relief of the estate of Letha F. McCubbin, the estate of Mary B. Hodge, and the estate of Walter H. Mansfield.

March 27, 1937
[H. R. 328]
[Private, No. 13]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to credit the account of Letha F. McCubbin, deceased, former postmaster at Eve, Kentucky, with \$90.58, being part of the amount retained from postal receipts by Brown McCubbin as compensation for his voluntary services in acting as postmaster at that post office from April 10 to June 6, 1933, inclusive.

Letha F. McCubbin (deceased)
Credit in postal account

SEC. 2. That the Comptroller General is hereby authorized and directed to credit the account of Mary B. Hodge, deceased, former postmaster at Place, Kentucky, with \$48.69, being the amount retained from postal receipts by Maude Hodge as compensation for her voluntary services in acting as postmaster at that post office from January 10 to April 4, 1934, inclusive.

Mary B. Hodge (deceased)
Credit in postal account

SEC. 3. That the Comptroller General is hereby authorized and directed to credit the account of Walter H. Mansfield, deceased, former postmaster at Logan, Oklahoma, with \$164.33, being the amount retained from postal receipts by Ben F. Morris as compensation for his voluntary services in acting as postmaster at that post office from November 7, 1933 to January 9, 1934, inclusive.

Walter H. Mansfield (deceased)
Credit in postal account.

Approved, March 27, 1937.

[CHAPTER 55]

AN ACT

For the relief of John Munroe.

March 27, 1937
[H. R. 1231]
[Private, No. 14]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500 to John Munroe, of Crary, North Dakota, in full satisfaction of his claim against the United States for permanent injuries sustained between November 22 and 30, 1933, while being moved from Devils Lake to Fargo, North Dakota, and return, to attend the United States district court as a necessary and material witness in the case of United States against Goldie Nolan, who was convicted largely on the testimony of the said John Munroe: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per

John Munroe.
Payment to.

Proviso
Limitation on attorney's, etc., fees.

Penalty for viola-
tion

centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, March 27, 1937.

[CHAPTER 56]

AN ACT

For the relief of John Edgar White, a minor.

March 27, 1937
[H. R. 3067]

[Private, No 15]

John Edgar White.
Payment to guard-
ian of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000 to Thomas B. White, father, as natural guardian for John Edgar White, minor, in full settlement of all claims against the United States for personal injuries to said minor's left leg by burning and for medical charges incurred as a result of said injuries occasioned by the said minor stepping into soft dirt which covered a steam line in process of repair in the vicinity of ward 21 in the Walter Reed Hospital grounds, Washington, District of Columbia: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso
Limitation on at-
torney's, etc., fees.

Penalty for viola-
tion.

Approved, March 27, 1937.

[CHAPTER 57]

AN ACT

For the relief of Bertha M. Harris.

March 27, 1937
[H. R. 3201]

[Private, No 16]

Bertha M. Harris
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Bertha M. Harris in full settlement of all claims against the Government of the United States, the sum of \$431.98 representing salary earned by Bertha M. Harris who acted as postmistress at Windfall, Indiana, from September 14 to December 30, 1932, both dates inclusive: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso
Limitation on at-
torney's, etc., fees.

Penalty for viola-
tion.

Approved, March 27, 1937.

[CHAPTER 62]

AN ACT

For the relief of C. C. Young.

March 31, 1937
[H R 448]
[Private, No 17]

C C Young.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. C. Young, of Pulaski County, Arkansas, the sum of \$3,500, in full satisfaction of his claim against the United States for the death of his minor son, Adriel Young, who was killed on September 15, 1932, from the explosion of a thirty-seven millimeter shell, which had previously been picked up and carried from Camp Pike Reservation, Arkansas, by Alpha Vint, a minor: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso
Limitation on at-
torney's, etc., fees.

Penalty for viola-
tion.

Approved, March 31, 1937.

[CHAPTER 63]

AN ACT

For the relief of Captain J. H. Merriam, Supply Corps, United States Navy.

March 31, 1937
[H R 1061]
[Private, No 18]

Captain J H Mer-
riam, Navy
Credit in accounts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of Captain J. H. Merriam, Supply Corps, United States Navy, with the sum of \$734.42, representing payments made by him to Thomas Cook and Son, Limited, of Shanghai, China, for the cost of transportation furnished Lieutenant (Junior Grade) Malcolm A. Hufty, United States Navy, and Lieutenant (Junior Grade) Lewis R. Miller, United States Navy, in accordance with orders issued to these two officers by the commander in chief, United States Asiatic Fleet, which payments were disallowed by the Comptroller General.

Approved, March 31, 1937.

[CHAPTER 65]

AN ACT

For the relief of Clark F. Potts and Charles H. Barker.

April 1, 1937
[H R 1094]
[Private, No 19]

Clark F Potts and
Charles H Barker.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Clark F. Potts, chief boatswain's mate (L), United States Coast Guard, the sum of \$150.26, and to Charles H. Barker, surfman, United States Coast Guard, the sum of \$125.73, in all \$275.99, in full settlement of their claims against the United States for loss or destruction of, or damage to, personal property and effects as a result of the fire which occurred at the Big Sandy Coast Guard Station, Woodville, New York, on November 3, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection

Proviso.
Limitation on at-
torney's, etc., fees.

Penalty for violation.

with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 1, 1937.

[CHAPTER 66]

AN ACT

For the relief of Mary Daley.

April 3, 1937
[H. R. 635]

[Private, No 20]

Mary Daley
Payment to.

Proviso
Limitation on attorney's, etc., fees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Mary Daley, of Syracuse, New York, the sum of \$225 in full satisfaction of all claims against the United States for personal injuries sustained by her as a result of a collision of a Civilian Conservation Corps motor vehicle with her automobile on Highbridge Road near Lyndon, New York, August 19, 1935: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Penalty for violation.

Approved, April 3, 1937.

[CHAPTER 67]

AN ACT

To authorize the settlement of individual claims for personal property lost or damaged, arising out of the activities of the Civilian Conservation Corps, which have been approved by the Secretary of War.

April 3, 1937
[H. R. 2773]

[Private, No 21]

Civilian Conservation Corps
Settlement of designated claims for property losses due to activities of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Associated Indemnity Corporation, Portland, Oregon, \$131.83; to Walter A. Dunlop, Roslindale, Massachusetts, \$11.25; to Eggert Coal Company, Morristown, New Jersey, \$12.50; to L. L. Farrell, Escanaba, Michigan, \$10.66; to Francis H. Finn, Waterbury, Vermont, \$16.25; to Norman W. Foster, Florida, Massachusetts, \$30; to Wade Hawk, Greenville, Tennessee, \$10.70; to Norman C. Horne, Mount Union, Pennsylvania, \$26; to William Long, Channahon, Illinois, \$33.50; to Oregon State Highway Commission, Salem, Oregon, \$102.25; to Redding Creamery, Redding, California, \$35.10; to San Joaquin Light and Power Corporation, Fresno, California, \$37.11; to Henry Simonsen, Farmington, Minnesota, \$40.25; to S. W.

Slemons, Bullsgap, Tennessee, \$18.40; to Paul Traglio, Salem, Oregon, \$100; to Bert Tucker, Stamping Ground, Kentucky, \$148; and to the Virginia-Carolina Chemical Company, Richmond, Virginia, \$18.86, in full settlement for damages sustained by reason of the operation of the Civilian Conservation Corps, which claims have been approved by the Secretary of War: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 3, 1937.

[CHAPTER 68]

AN ACT

For the relief of E. C. Willis, father of the late Charles R. Willis, a minor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to E. C. Willis, father of the late Charles R. Willis, a minor, the sum of \$3,000 in full settlement of all claims against the Government of the United States for fatal injuries suffered by the said Charles R. Willis as a result of a Government-owned truck operated by an employee of the Civilian Conservation Corps striking an automobile operated by the said Charles R. Willis near Sikes, Louisiana, November 18, 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

April 3, 1937
[H. R. 3630]
[Private, No. 22]

E. C. Willis
Payment to

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 3, 1937.

[CHAPTER 70]

AN ACT

For the relief of the Baker-Whiteley Coal Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to extend to the Baker-Whiteley Coal Company, of Baltimore, Maryland, the provisions and benefits of the Act entitled "An Act to provide relief to Government contractors whose costs of performance were increased as a result of compliance with the Act approved June

April 6, 1937
[H. R. 1088]
[Private, No. 23]

Baker-Whiteley
Coal Company.
Adjustment of claim
authorized.

48 Stat. 974
41 U. S. C. § 28.

16, 1933, and for other purposes", approved June 16, 1934, with respect to its contract numbered Tpr-40, entered into on August 10, 1933, for the furnishing of coal to the Government fuel yards at Washington, District of Columbia, to the same extent and in the same manner as if said contract had been entered into prior to August 10, 1933.

Approved, April 6, 1937.

[CHAPTER 71]

AN ACT

For the relief of Malinda J. Mast and William Lee Mast.

April 7, 1937
[H R 1245]

[Private, No 24]

Malinda J. Mast
and William Lee
Mast
Payment to

Proviso
Limitation on at-
torney's, etc, fees

Penalty for viola-
tion

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Malinda J. Mast and William Lee Mast, of McKinley, Oregon, the sum of \$350 in full satisfaction of their claim against the United States for damages for personal injuries suffered on May 19, 1934, about one mile north from where the Norway-Lee County Road leaves the Coquille-Myrtle Point State Highway, in Coos County, Oregon, when the automobile in which said Malinda J. Mast and William Lee Mast were riding was struck by a motor truck owned by the United States and driven by Lem Reynolds, an employee of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 7, 1937.

[CHAPTER 81]

AN ACT

For the relief of J. H. Richards.

April 14, 1937
[S 179]

[Private, No. 25]

J H Richards.
Payment to.

Proviso.
Limitation on at-
torney's, etc, fees.

Penalty for viola-
tion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to J. H. Richards, of Collinsville, Alabama, the sum of \$5,000. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by the said J. H. Richards on account of the loss of his minor child, Evelyn Richards, who was struck and killed on September 4, 1934, near Collinsville, Alabama, by an automobile in the service of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 14, 1937.

[CHAPTER 82]

AN ACT

For the relief of the estate of Alice W. Miller, deceased.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States, in the settlement and adjustment of accounts and claims for services rendered at third- and fourth-class post offices, be, and he is hereby, authorized and directed to credit the account of Alice W. Miller, deceased, former acting postmaster at Valley Ranch, New Mexico, with \$132.86, being the amount paid from postal receipts to Lydia A. Keyes in payment of her voluntary services in acting as postmaster at that post office from December 18, 1932, to February 3, 1933, inclusive.

Approved, April 14, 1937.

April 14, 1937
[S. 308]
[Private, No. 20]

Alice W. Miller
(deceased)
Credit in accounts
of.

[CHAPTER 83]

AN ACT

For the relief of A. D. Hampton.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to A. D. Hampton, of Russellville, Arkansas, the sum of \$5,000, in full settlement of all claims against the United States for the death of his minor son, Adam D. Hampton, Junior, when the car in which he was a passenger was struck by a Government vehicle operated in connection with the Civilian Conservation Corps, while said vehicle was on official business, on October 7, 1934, on United States Highway Numbered 64, near London, Arkansas: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 14, 1937.

April 14, 1937
[S. 420]
[Private, No. 27]

A. D. Hampton.
Payment to.

Proviso
Limitation on at-
torney's, etc., fees.

Penalty for viola-
tion.

[CHAPTER 84]

AN ACT

For the relief of Harry King.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Harry King, of Monarch, Montana, the sum of \$85 in full satisfaction of his claim against the United States arising from property damage sustained by him when his automobile was struck by a Government truck operated in connection with the Civilian Conservation Corps on United States Highway Numbered 89, near Neihart, Montana, on July 19, 1936: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services

April 14, 1937
[S. 525]
[Private, No. 28]

Harry King.
Payment to.

Proviso
Limitation on at-
torney's, etc., fees.

Penalty for violation.

rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 14, 1937.

[CHAPTER 85]

AN ACT

April 14, 1937
[S. 766]

[Private, No. 29]

To provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects destroyed in a fire at the Radio Direction Finder Station, North Truro, Massachusetts, on December 27, 1934.

Navy
Reimbursement of
certain enlisted men,
etc., for personal prop-
erty losses

Provisos
Determination of
amounts
Limitation on at-
torney's, etc., fees.

Penalty for violation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$527.89, or such portion as may be necessary, to pay claims of enlisted men and former enlisted men of the United States Navy for the value of personal effects destroyed as the result of a fire at the Radio Direction Finder Station, North Truro, Massachusetts, on December 27, 1934: *Provided*, That the Secretary of the Navy shall determine the amount to be paid hereunder to each claimant: *And provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 14, 1937.

[CHAPTER 86]

AN ACT

For the relief of Amelia Corr.

April 14, 1937
[S. 784]

[Private, No. 30]

Amelia Corr
Death gratuity pay-
ment to
49 Stat. 1406.

Provisos.
Dependency to be
established.

Limitation on at-
torney's, etc., fees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized and directed to pay, out of the appropriation "Pay of the Navy, 1937", to Amelia Corr, mother of Frederick Andrew Corr, late chief pharmacist's mate, United States Navy, the sum of \$945 in full settlement of her claim against the United States for six months' pay at the rate said Frederick Andrew Corr was receiving at the date of his death, October 1, 1932: *Provided*, That said Amelia Corr shows to the satisfaction of the Secretary of the Navy that she was actually dependent on her son, Frederick Andrew Corr, at the time of the latter's death and that the determination of such dependency by the Secretary of the Navy shall be final and conclusive upon the accounting officers of the Government: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the

same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 14, 1937.

Penalty for violation.

[CHAPTER 87]

AN ACT

For the relief of Joseph A. Ganong.

April 14, 1937
[S 1057]

[Private, No. 31]

Joseph A. Ganong.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph A. Ganong, office cadastral engineer at Portland, Oregon, the sum of \$51.24, representing payments made by John L. Day, United States marshal for the district of Oregon, for traveling expenses incurred by said Joseph A. Ganong as a witness for the Government in the case of United States against State of Oregon, which payments were disallowed by the Comptroller General of the United States and were subsequently refunded by said Joseph A. Ganong: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso
Limitation on attorney's, etc., fees

Penalty for violation

Approved, April 14, 1937.

[CHAPTER 88]

AN ACT

For the relief of Cesaria Del Pilar.

April 14, 1937
[S 1310]

[Private, No. 32]

Cesaria Del Pilar
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Cesaria Del Pilar, mother of Agapito Lomobos, the sum of \$1,500, in full settlement of all claims against the Government of the United States on account of the death of Agapito Lomobos, which resulted from a gunshot wound caused by a pistol bullet fired by a member of a Marine Corps firing party during target practice at the Naval Station, Olongapo, Philippine Islands, on April 25, 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 14, 1937.

[CHAPTER 89]

AN ACT

For the relief of Norman Hildebrand.

April 14, 1937

[S. 1311]

[Private, No. 33]

Norman Hildebrand
Payment to.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$185 to Norman Hildebrand, chief radioman, United States Navy, in full satisfaction of his claim against the United States for the loss of uniforms and other personal effects as a result of a fire in the living quarters of the radioman in charge at the naval radio station, David, Republic of Panama, on December 29, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 14, 1937.

[CHAPTER 90]

AN ACT

April 14, 1937

[S. 1314]

[Private, No. 34]

Marine Corps.
Reimbursement of certain enlisted men, etc., for personal property losses.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

To provide for the reimbursement of certain enlisted men and former enlisted men of the Marine Corps for the value of personal effects lost by fire at the Marine Barracks, Quantico, Virginia, on October 5, 1930.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$2,900.04, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, enlisted men or former enlisted men of the Marine Corps for the value of personal effects lost as a result of the fire which occurred at the Marine Barracks, Quantico, Virginia, on October 5, 1930: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 14, 1937.

[CHAPTER 91]

AN ACT

To provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects lost by fire at the Naval Radio Station, Eureka, California, on January 17, 1930.

April 14, 1937
[S. 1315]
[Private, No. 35]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$266, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, enlisted men or former enlisted men, of the Navy, for the value of personal effects lost as a result of a fire which destroyed a building at the Naval Radio Station, Eureka, California, on January 17, 1930: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Navy.
Reimbursement of
certain enlisted men,
etc., for personal prop-
erty losses.

Proviso.
Limitation on attor-
ney's, etc., fees.

Penalty for viola-
tion.

Approved, April 14, 1937.

[CHAPTER 92]

AN ACT

To provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects destroyed in a fire at the Naval Radio Station, Libugon, Guam, on April 15, 1932.

April 14, 1937
[S. 1317]
[Private, No. 36]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$1,486.22, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain enlisted men and former enlisted men of the Navy for the value of personal effects destroyed as the result of a fire at the United States Naval Radio Station, Libugon, Guam, on April 15, 1932: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Navy.
Reimbursement of
certain enlisted men,
etc., for personal prop-
erty losses.

Proviso.
Limitation on attor-
ney's, etc., fees.

Penalty for viola-
tion.

Approved, April 14, 1937.

[CHAPTER 93]

AN ACT

April 14, 1937

[S. 1320]

[Private, No. 37]

Navy
Reimbursement of
certain civilian em-
ployees for personal
property losses.

Provides.
Limitation on attor-
ney's, etc., fees.

Penalty for viola-
tion

To provide for the reimbursement of certain civilians employed at the Naval Operating Base, Hampton Roads, Virginia, on May 4, 1930, for the value of tools lost in a fire on pier 7, at the naval operating base, on that date.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$245.17, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain civilians employed at the Naval Operating Base, Hampton Roads, Virginia, on May 4, 1930, for the value of tools owned by said civilians, lost as a result of the fire which destroyed pier 7 at the naval operating base on that date: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 14, 1937.

[CHAPTER 94]

AN ACT

April 14, 1937

[S. 1454]

[Private, No. 38]

Navy.
Reimbursement of
certain enlisted men
for personal property
losses.

Provides.
Determination of
amounts
Limitation on attor-
ney's, etc., fees

Penalty for viola-
tion.

To provide for the reimbursement of certain enlisted men of the Navy for the value of personal effects destroyed in a fire in Building Numbered 125, United States Navy Yard, Washington, District of Columbia, on July 16, 1935.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$588.70, or such portion as may be necessary, to pay claims of enlisted men of the United States Navy for the value of personal effects destroyed as the result of a fire in Building Numbered 125, United States Navy Yard, Washington, District of Columbia, on July 16, 1935: *Provided*, That the Secretary of the Navy shall determine the amount to be paid hereunder to each claimant: *And provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 14, 1937.

[CHAPTER 96]

AN ACT

For the relief of Edward Y. Garcia and Aurelia Garcia.

April 15, 1937

[S. 316]

[Private, No. 39]

Edward Y. and
Aurelia Garcia.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Edward Y. Garcia and Aurelia Garcia, of Albuquerque, New Mexico, the sum of \$2,500 in full satisfaction of their claim against the United States on account of the death of their minor son, Edward Le Garcia, who was killed on John Street, Albuquerque, New Mexico, on June 1, 1935, when he was struck by a Civilian Conservation Corps truck driven by James O. House: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso.
Limitation on attorney's, etc., fees

Penalty for violation

Approved, April 15, 1937.

[CHAPTER 97]

AN ACT

For the relief of George A. Hardy, Mang B. Kiechle, John C. McLeod, and Earl W. Zimmer.

April 15, 1937

[S. 463]

[Private, No. 40]

George A. Hardy
and others
Payments to

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George A. Hardy the sum of \$986; to Mang B. Kiechle the sum of \$1,505; to John C. McLeod the sum of \$667.25; and to Earl W. Zimmer the sum of \$755.85, in full settlement of all claims against the United States on account of damages to private property arising out of the occupancy and use of their land by the Army in connection with the first Army maneuvers held in the vicinity of Pine Camp, New York, during the period August 17 to August 31, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso.
Limitation on attorney's, etc., fees

Penalty for violation.

Approved, April 15, 1937.

[CHAPTER 98]

AN ACT

For the relief of M. K. Fisher.

April 15, 1937

[S. 544]

[Private, No. 41]

M K Fisher.
Payment to.*Proviso*
Limitation on attorney's, etc., fees.

Penalty for violation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to M. K. Fisher, of Clarkdale, Arizona, the sum of \$500, in full satisfaction of his claim against the United States for damages arising out of personal injuries of his wife and two minor children, and damages to his automobile, suffered when such automobile was struck by a Forest Service truck, near Jerome, Arizona, on August 4, 1935: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 15, 1937.

[CHAPTER 99]

AN ACT

For the relief of Victor M. Ruiz C and Luz Elena Robles.

April 15, 1937

[S. 1038]

[Private, No. 42]

Victor M. Ruiz C
and Luz Elena Robles
Payment to*Proviso*
Limitation on attorney's, etc., fees.

Penalty for violation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$266.50 to Victor M. Ruiz C and the sum of \$490.15 to Luz Elena Robles, both of Panama City, Panama, in full and final settlement of all claims whatsoever against the United States for compensation for damages arising from personal injuries sustained in the collision between a United States Army truck and the Chevrolet touring car of Victor M. Ruiz C, on March 26, 1935, near Arraijan, Republic of Panama: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 15, 1937.

[CHAPTER 105]

AN ACT

For the relief of Guy F. Allen, chief disbursing officer, Division of Disbursement, Treasury Department.

April 15, 1937

[S. 843]

[Private, No. 43]

Guy F. Allen.
Credit allowed in accounts of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to allow credit in the accounts of Guy F. Allen, chief disbursing

officer, Division of Disbursement, Treasury Department, without charge against the certifying officer of the Department of Justice, for the sum of \$126.40, representing the disallowed portion of the sum of \$138 paid by him on August 17, 1934, on voucher numbered 102336, from the appropriation, "15746, Salaries and expenses, Division of Investigation, 1935", to the Airline ticket office, Municipal Airport, Oklahoma City, Oklahoma, for the charter of a special airplane by an assistant director of the Federal Bureau of Investigation of the Department of Justice, for transportation from Oklahoma City, Oklahoma, to Springfield, Missouri, in connection with an emergency investigation.

Approved, April 15, 1937.

[CHAPTER 106]

AN ACT

For the relief of Captain Eugene Blake, Junior, United States Coast Guard.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Phillip Hudson Phillips, out of any money in the Treasury not otherwise appropriated, the sum of \$750, in full satisfaction of a judgment in that sum and any interest thereon or court costs in connection therewith, secured on October 12, 1934, by Phillip Hudson Phillips against Captain Eugene Blake, Junior, United States Coast Guard, in the case of Phillips against Blake (number 19366-K), in the Southern Division of the United States District Court for the Northern District of California, arising out of the destruction of the motorboat Adanesne on October 25, 1932, as a potential menace to navigation, at the direction of Captain Blake, in the vicinity of San Pedro Point, San Mateo County, California, while such motorboat was in the possession of the said Phillips as salvor: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 16, 1937.

April 16, 1937
[S. 1413]
[Private, No. 44]

Captain Eugene
Blake, Jr., U S Coast
Guard
Payment of court
judgment against, au-
thorized

Proviso
Limitation on attor-
ney's, etc., fees

Penalty for viola-
tion.

[CHAPTER 112]

AN ACT

For the relief of G. A. Trotter.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of G. A. Trotter, former superintendent and special disbursing agent of the Zuni Indian Agency, for payments aggregating \$102.40 made to Will Halloran as mileage for the use of his personally owned automobile while performing his official duties as road supervisor in the Indian Service.

Approved, April 17, 1937.

April 17, 1937
[S. 1423]
[Private, No. 45]

G A Trotter.
Credit allowed in ac-
counts of.

[CHAPTER 113]

AN ACT

For the relief of John S. Hemrick.

April 19, 1937

[H. R. 1871]

[Private, No. 46]

John S. Hemrick
Provisions of Em-
ployees' Compensa-
tion Act extended to
39 Stat. 746, 747
5 U. S. C. §§ 765-770

Provisos.
Time for filing
claim.
No prior benefits

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, the United States Employees' Compensation Commission be, and the same is hereby, authorized and directed to receive and consider, when filed, the claim of John S. Hemrick for disability alleged to have been incurred by him during the winter of 1933-1934, while in the employ of the Civil Works Administration, and to determine said claim upon its merits under provisions of said Act: *Provided*, That claim hereunder shall be filed within six months after the approval of this Act: *Provided further*, That no benefits shall accrue prior to the enactment of this Act.

Approved, April 19, 1937.

[CHAPTER 115]

AN ACT

For the relief of Ernest and Lottie Dunford.

April 20, 1937

[H. R. 456]

[Private, No. 47]

Ernest and Lottie
Dunford
Payment to.

Proviso
Limitation on at-
torney's, etc., fees

Penalty for viola-
tion

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Ernest and Lottie Dunford, of Ramsey Town, Henry County, Virginia, jointly, the sum of \$3,500 in full settlement of their claim against the United States for the death of their minor child, Hattie M. Dunford, who was struck and killed by a Civilian Conservation Corps truck on June 23, 1934, at Ramsey Town, Virginia: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 20, 1937.

[CHAPTER 116]

AN ACT

For the relief of Peter Karampelis.

April 20, 1937

[H. R. 2320]

[Private, No. 48]

Peter Karampelis.
Payment to

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$100 to Peter Karampelis, of Milwaukee, Wisconsin, in full satisfaction of his claim against the United States for the difference between \$300 bail, declared forfeited by the United States District

Court for the Eastern District of Wisconsin and covered into the Treasury but subsequently ordered restored by the said court as no notice to appear had been given him, and a \$200 fine imposed upon him by the said court for the violation of certain provisions of the National Prohibition Act during 1931: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso
Limitation on at-
torney's, etc., fees.

Penalty for viola-
tion

Approved, April 20, 1937.

[CHAPTER 117]

AN ACT

For the relief of E. B. Gray.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000 to E. B. Gray, of Cincinnati, Ohio, in full settlement of his claim against the United States for an equal amount paid by him on September 8, 1931, to the United States by reason of the forfeiture of the bail bond of Chester Koher, the latter having failed to appear for trial, but thereafter having been apprehended by said E. B. Gray, without cost to the Government, and imprisoned: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

April 20, 1937
[H. R. 2936]
[Private, No. 49]

E. B. Gray
Payment to

Proviso
Limitation on at-
torney's, etc., fees

Penalty for viola-
tion.

Approved, April 20, 1937.

[CHAPTER 118]

AN ACT

To provide for the settlement and adjustment of claims of contractors in connection with the construction of the factory building at the Reedsville Experimental Community, Arthurdale, West Virginia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to receive, settle, and adjust all claims of contractors in connection with the constructing and equipping of the factory building at the Reedsville Experimental Community, a subsistence homestead project, at Arthurdale, West Virginia. The unexpended balance of the sum made available to the President, for making loans for and otherwise aiding in the purchase of subsistence homesteads, by section 208 of the National Industrial Recovery Act, as amended and extended, or so much thereof as may be necessary, is hereby made

April 21, 1937
[S. 1414]
[Private, No. 50]

Reedsville Experi-
mental Community,
Arthurdale, W. Va.
Construction, etc.,
claims to be adjusted.

Funds available for
payment.

48 Stat. 205
40 U. S. C. § 408

Proviso
Limitation on at-
torney's, etc., fees

available for payment of such claims: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with these claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with these claims, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Penalty for viola-
tion

Approved, April 21, 1937.

[CHAPTER 119]

AN ACT

For the relief of Kate Carter Lyons.

April 21, 1937

[H. R. 1870]

[Private, No. 51]

Kate Carter Lyons
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Kate Carter Lyons, of Travelers Rest, South Carolina, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000 in full satisfaction of her claim against the United States for personal injuries received by her when she fell into an excavation on her property at the above address on June 4, 1934, said excavation having been made in January 1934 and left open by employees of the Civil Works Administration in preparation for the placement of a United States Coast and Geodetic Survey monument therein: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso
Limitation on at-
torney's, etc., fees.

Penalty for viola-
tion

Approved, April 21, 1937.

[CHAPTER 120]

AN ACT

For the relief of Evangelos Karacostas.

April 21, 1937

[H. R. 1923]

[Private, No. 52]

Evangelos Karacos-
tas
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Evangelos Karacostas, of Boston, Massachusetts, the sum of \$500. Such sum shall be in full settlement of all his claims against the United States for the amount of a cash bond declared breached by the Department of Labor on April 13, 1929, upon the failure of said Evangelos Karacostas to depart from the United States as a temporary visitor, and subsequently covered into the Treasury of the United States, while there was pending a suit instituted by him and before a decision was rendered by the District Court of the United States for the District of Massachusetts that said Evangelos Karacostas was entitled to remain in this country permanently: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received

Proviso
Limitation on at-
torney's, etc., fees

by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Penalty for violation.

Approved, April 21, 1937.

[CHAPTER 124]

AN ACT

For the relief of Charles M. Perkins.

April 22, 1937
[H. R. 1089]
[Private, No. 53]

Charles M. Perkins.
Credit in postal accounts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the account of Charles M. Perkins, former postmaster at Seattle, Washington, with the sum of \$14,897.66, representing the amount of postal funds lost in the robbery of said post office on December 23, 1931, and now charged to the account of the former postmaster.

SEC. 2. That the Comptroller General of the United States be, and he is hereby, authorized and directed further to credit the account of Charles M. Perkins, former postmaster at Seattle, Washington, with the sum of \$1,100, representing the amount of postal funds embezzled by Edgar A. Chitwood, former assistant postal cashier of said post office, between June 6 and June 10, 1932, and now charged to the account of the former postmaster.

Approved, April 22, 1937.

[CHAPTER 126]

AN ACT

For the relief of William Blakeley, or Blakley, as administrator of the estate of Joseph Blakeley, deceased.

April 23, 1937
[H. R. 2780]
[Private, No. 54]

William Blakely.
Payment to

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to pay to William Blakely, as administrator of the estate of Joseph Blakeley, late chief electrician's mate, United States Navy, the sum of money credited to the account of said decedent in the ship's bank of the United States ship West Virginia, or elsewhere if it shall have been transferred therefrom, constituting pay and allowances due and unpaid on the date of his, the said Joseph Blakeley's, death on May 13, 1926, at the naval hospital, San Diego, California, and all cash found in his personal effects on or subsequent to said date: *Provided*, That the said William Blakely shall first file an affidavit with the Comptroller General of the United States showing the correct spelling of his, the claimant's surname: *Provided further*, That the sum so paid under this Act shall be in full settlement of all claims against the United States for pay and allowances and cash from the personal effects of said decedent, Joseph Blakeley: *And provided further*, That no part of the payment authorized and directed to be made in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the settlement of this account, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso
Correct spelling of claimant's surname.
Payment to be in full settlement

Limitation on attorney's, etc., fees

Penalty for violation.

Approved, April 23, 1937.

[CHAPTER 128]

AN ACT

April 24, 1937

[S. 1455]

[Private, No. 55]

To authorize certain officers of the United States Navy, officers, enlisted men, and civilian employees of the United States Army and officers and enlisted men of the Marine Corps to accept such medals, orders, and decorations as have been tendered them by foreign governments in appreciation of services rendered.

Navy, Army, and
Marine Corps.
Acceptance of cer-
tain decorations, etc.,
tendered by foreign
governments, author-
ized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-named officers of the United States Navy, officers, enlisted men, and civilian employees of the United States Army, and officers and enlisted men of the Marine Corps are hereby authorized to accept such medals, orders, and decorations as have been tendered them by foreign governments in appreciation of services rendered:

Navy.

United States Navy: Rear Admiral William H. Standley, retired; Captain Laurence N. McNair; Captain William D. Puleston; Captain John T. G. Stapler; Captain Rufus F. Zogbaum, retired; Captain Harry J. Abbett; Captain Archibald L. Parsons (CEC); Captain Grear A. Duncan (CEC); Captain Ernest R. Gayler (CEC); Commander Wallace L. Lind; Lieutenant Commander Ben N. Wyatt; Lieutenant Commander Frederick S. Holmes; Lieutenant Brook S. Mansfield; Lieutenant (Junior Grade) Robert R. DeWolfe; Captain Charles C. Gill; Captain Henry K. Hewitt; Captain Paul H. Bastedo; Captain Ross T. McIntire (MC); Lieutenant Paul W. Hord; and Lieutenant Augustus D. Clark.

Army

United States Army: Major General Andrew Moses; Colonel Charles Burnett; Colonel Albert Gilmor; Lieutenant Colonel John A. Crane; Lieutenant Colonel Henry B. Cheadle; Lieutenant Colonel Clarence H. Danielson; Lieutenant Colonel James A. Dorst; Lieutenant Colonel Robert L. Eichelberger; Lieutenant Colonel James A. Lester; Lieutenant Colonel Herbert E. Marshburn; Lieutenant Colonel Alvan C. Sanderford; Lieutenant Colonel Rodney H. Smith; Lieutenant Colonel Iverson B. Summers; Lieutenant Colonel Basilio J. Valdes, Philippine Army; Lieutenant Colonel Robert H. Van Volkenburgh; Major Charles R. Finley; Major William Sackville; Major William E. Shipp; Captain William D. Hohenthal; Captain Carnes B. Lee; Captain Edwin L. Sibert; Second Lieutenant Stephen Walsh Holderness; Private Mikael Torres; Doctor William H. Brown, civilian employee, Philippine Government; Doctor Samuel M. Burka, Air Corps Civilian Employee; Captain Ciriado Carillo, Philippine Coast Guard; John B. Johnson, Air Corps Civilian Employee; Jean A. Roche, Air Corps Civilian Employee.

Marine Corps.

Marine Corps: Colonel Frank E. Evans; Lieutenant Colonel Pedro A. Del Valle; Lieutenant Colonel Maurice G. Holmes; Captain Harold D. Hansen; First Sergeant Frederick Belton; Major General Charles H. Lyman; Lieutenant Colonel James Roosevelt (VMCR); and Captain John D. Blanchard.

Approved, April 24, 1937.

[CHAPTER 129]

AN ACT

For the relief of Matt Burgess.

April 26, 1937

[H. R. 1913]

[Private, No. 56]

Matt Burgess.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$6,500 to Matt Burgess in full settlement of all claims against the United States because of a judgment rendered against and paid

by him, by reason of the forfeiture of his bail bond on June 7, 1926: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 26, 1937.

[CHAPTER 132]

AN ACT

For the relief of the Van Buren Light and Power District.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Van Buren Light and Power District, Van Buren, Maine, the sum of \$365.70. The payment of such sum shall be in full settlement of all claims against the United States of the Van Buren Light and Power District for electric current furnished the office of the Immigration and Naturalization Service during the period from July 1, 1931, to March 5, 1935, both dates inclusive: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

April 26, 1937
[H. R. 1676]
[Private, No. 57]

Van Buren Light
and Power District
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 26, 1937.

[CHAPTER 133]

AN ACT

For the relief of the Sterling Bronze Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle the claim of the Sterling Bronze Company for \$8,168 for material supplied and work performed in furnishing and installing electrical supplies and equipment in the New House Office Building under contract ACho-23. Appropriations heretofore made for the construction of the New House Office Building are hereby made available for the payment of this claim in the said sum of \$8,168: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

April 26, 1937
[H. R. 3701]
[Private, No. 58]

Sterling Bronze
Company.
Settlement of claim
authorized.

Funds available for
payment.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, April 26, 1937.

[CHAPTER 137]

AN ACT

For the relief of Lucretia Norris.

April 27, 1937

[H. R. 1087]

[Private, No. 59]

Lucretia Norris.
Payment toProviso
Limitation on at-
torney's, etc., fees.Penalty for viola-
tion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lucretia Norris the sum of \$600, in full settlement of all claims against the United States for injuries sustained when she was struck by a vehicle operated by an employee of the Government and in the service of the Post Office Department, in Baltimore, Maryland, on January 1, 1931: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 27, 1937.

[CHAPTER 138]

AN ACT

For the relief of Henrietta Jacobs.

April 27, 1937

[H. R. 2144]

[Private, No. 60]

Henrietta Jacobs
Payment toProviso
Limitation on at-
torney's, etc., fees.Penalty for viola-
tion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement of all claims against the Government, the sum of \$2,500 to Henrietta Jacobs on account of an injury sustained while visiting the United States Naval Air Station at Lakehurst, New Jersey, on June 1, 1930: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 27, 1937.

[CHAPTER 139]

AN ACT

To provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects lost, damaged, or destroyed by fire at the naval training station, Hampton Roads, Virginia, on February 21, 1927.

April 27, 1937

[H. R. 4687]

[Private, No. 61]

Navy
Reimbursement of
certain present and
former enlisted men
for personal prop-
erty losses.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$3,500, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, enlisted men or former enlisted men of the Navy, for the value of personal effects lost, damaged,

or destroyed as a result of the fire which occurred in Unit J, Naval Operating Base, Hampton Roads, Virginia, on February 21, 1927: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, April 27, 1937.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 165]

AN ACT

For the relief of Arthur C. Knox.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Arthur C. Knox, of Peekskill, New York, the sum of \$3,500. The payment of such sum shall be in full settlement of all claims against the United States on account of damages sustained by the said Arthur C. Knox as the result of the death of his daughter, Marjorie, who was struck and fatally injured by a Department of Agriculture truck on April 5, 1935, in Peekskill, New York: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 6, 1937.

May 6, 1937
[H. R. 417]
[Private, No. 62]

Arthur C. Knox.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 166]

AN ACT

For the relief of Fay Pledger.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Fay Pledger the sum of \$230 in full settlement of all claims against the United States on account of damage to his automobile as the result of an accident occasioned by collision with a Government vehicle operated in connection with the Civilian Conservation Corps near Summerville, Georgia, on June 24, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 6, 1937.

May 6, 1937
[H. R. 561]
[Private, No. 63]

Fay Pledger.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 167]

AN ACT

Conferring jurisdiction upon the United States Court of Claims to hear the claim of the Canal Dredging Company.

May 6, 1937
[H. R. 986]

[Private, No. 64]

Canal Dredging
Company.
Jurisdiction con-
ferred upon Court of
Claims to hear claim
of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the United States Court of Claims to hear the claim of the Canal Dredging Company, a corporation under the laws of Illinois, with its principal office in the city of Memphis, Tennessee, and to determine and report to Congress the amount of additional compensation, if any, that said Canal Dredging Company may be justly entitled to for the excavation of rock exceeding the percentage represented in and by the specifications, profiles, and other data relating to the work and for its loss on account of its preparation for doing the work which it was to do in the State of Florida along the south shore of Lake Okeechobee in the area known locally as South Bay between the Miami Canal and Bacom Point, under the contract entered into on the 5th day of August 1932 between the United States and itself designated as "Contract W. 436-eng-3071", and supplemental agreement modifying the same between said parties, approved by the Chief of Engineers, United States Army, on the 13th day of July 1933, terminated by supplemental agreement entered into between said parties on the 14th day of June 1934, and for the best interests of the Government, because of the discovery of rock to be excavated in excess of that represented and contemplated as aforesaid, entitling said Canal Dredging Company to a material increase in the contract price, in order that the Government might construct said work by Government plant and hired labor, of a materially different design as more efficient for the purpose intended and at a less cost to the Government, to which said Canal Dredging Company consented.

Commencement of
suit.

SEC. 2. Such claim may be instituted at any time within one year after the passage of this Act, notwithstanding the lapse of time or any statute of limitations.

Approved, May 6, 1937.

[CHAPTER 168]

AN ACT

For the relief of Harold Wright, a minor

May 6, 1937
[H. R. 1281]

[Private, No. 65]

Harold Wright.
Payment to guardian
of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,500 to the legal guardian of Harold Wright, a minor, of Walker County, Alabama, in full settlement of all claims against the Government of the United States for injuries received by said minor on the 11th day of February 1934 as the result of an explosion of a dynamite cap, or detonator, the property of the United States, which was negligently stored by employees of the Civil Works Administration, at Hull, Walker County, Alabama: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount

Proviso.
Limitation on attor-
ney's, etc., fees.

appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 6, 1937.

Penalty for violation.

[CHAPTER 169]

AN ACT

For the relief of Etta Natelsky.

May 6, 1937

[H. R. 1859]

[Private, No. 66]

Etta Natelsky.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Etta Natelsky, of Chicago, Cook County, Illinois, the sum of \$1,500 in full satisfaction of all claims of said Etta Natelsky against the United States for damages resulting from personal injuries sustained by her on July 22, 1934, when shot by an agent of the Department of Justice, Division of Investigation, in the endeavor of said Department of Justice, Division of Investigation, to apprehend John Dillinger: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso.
Limitation on attorney's, etc., fees

Penalty for violation.

Approved, May 6, 1937.

[CHAPTER 170]

AN ACT

For the relief of James C. Wilkinson.

May 6, 1937

[H. R. 2321]

[Private, No. 67]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the limitations of time in sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, the Employees' Compensation Commission is hereby authorized and directed to receive and consider the claim of James C. Wilkinson, of McAlester, Oklahoma, for disability alleged to have been incurred in the performance of his duties as deputy United States marshal on March 20, 1931, under the remaining provisions of said Act: *Provided*, That claim hereunder shall be filed within six months from the approval of this Act: *Provided further*, That no benefits shall accrue prior to the approval of this Act.

James C. Wilkinson
son
Provisions of Employees' Compensation Act extended to.
39 Stat. 746, 747.
5 U. S. C. §§ 765-770.

Proviso.
Time limitation.
No prior benefits.

Approved, May 6, 1937.

[CHAPTER 171]

AN ACT

For the relief of J. E. Midgett, Luther E. Bozman, and Gordy Z. Parks.

May 6, 1937
[H. R. 2494]
[Private, No. 68]

J. E. Midgett, and
others
Payments to

Luther E. Bozman.
Gordy Z. Parks.

Proviso
Limitation on attor-
ney's, etc., fees

Penalty for viola-
tion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. E. Midgett, the sum of \$89; to Luther E. Bozman, the sum of \$89.50; and to Gordy Z. Parks, the sum of \$97.75; in all, \$276.25, in full satisfaction of their claims against the United States for loss of their personal property and effects when forced to abandon the Janes Island Light Station, Virginia, where they were serving as lighthouse keepers, which station was destroyed by ice in February 1936: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 6, 1937.

[CHAPTER 172]

AN ACT

For the relief of Harold W. Snell.

May 6, 1937
[H. R. 2771]
[Private, No. 69]

Harold W. Snell
Release of responsi-
bility for lost funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Harold W. Snell, special representative agent, The Alaska Railroad, with headquarters at Chicago, Illinois, is hereby relieved of reimbursing the United States for credit to the appropriation, "Alaska Railroad Special Fund", the sum of \$133.91, the amount lost in the burglary of the offices of the Alaska Railroad, 333 North Michigan Avenue, Chicago, Illinois, on the night of July 8, 1935.

Approved, May 6, 1937.

[CHAPTER 173]

AN ACT

For the relief of Mrs. M. N. Shwamberg and others.

May 6, 1937
[H. R. 2978]
[Private, No. 70]

Mrs. M. N. Shwam-
berg, and others.
Payments to.
Ante, p. 769.

Country Hospital,
Shanghai, China.

Dr. Ed Birt.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$500, together with such additional amount due to increases in rates of exchange as may be necessary to pay (1) Mrs. M. N. Shwamberg, as an act of grace, and without reference to the legal liability of the United States, as full indemnity for personal injuries sustained by her as the result of a collision between a public jinrikisha in which she was riding and a United States Marine Corps ambulance on Seymour Road, Shanghai, China, on January 31, 1935, Mexican \$1,000; (2) the Country Hospital, Shanghai, China, for treatment furnished to Mrs. Shwamberg on account of this accident, Mexican \$374.50; (3) Doctor Ed Birt, Shanghai, China, for medical treatment furnished Mrs. Shwamberg on account of this accident, Mexican \$170.

Approved, May 6, 1937.

[CHAPTER 174]

AN ACT

For the relief of Edmond G. Warren.

May 6, 1937
[H. R. 2965]
[Private, No 71]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitations of time in sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Edmond G. Warren, of Keams Canyon, Arizona, and the Employees' Compensation Commission is hereby authorized and directed to receive and consider his claim, if filed within six months from the approval of this Act, for disability alleged to have been sustained in the performance of his duties as principal of the United States Indian Service Boarding School, Chin Lee, Arizona, in May 1928: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Edmond G. Warren.
Provisions of Employees' Compensation Act extended to.
39 Stat. 746, 747.
5 U. S. C. §§ 765-770.

Proviso
No prior benefits.

Approved, May 6, 1937.

[CHAPTER 175]

AN ACT

For the relief of Grier-Lowrance Construction Company, Incorporated.

May 6, 1937
[H. R. 3190]
[Private, No 72]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the claim of Grier-Lowrance Construction Company, Incorporated, for losses and damages under contract numbered AMB 28, dated May 18, 1929, for the construction of the foundation for the several structures of the Arlington Memorial Bridge project be, and the same is hereby, referred to the United States Court of Claims with jurisdiction to hear the same to judgment, said claim to be adjudicated upon the basis of all losses or damages suffered by the said company duly found to be due to acts of the Government or delays caused by the Government or subsurface conditions unknown to the contractor and not disclosed by the Government before contract was entered into, notwithstanding any lapse of time or any provisions of the statute of limitations: *Provided*, That suit hereunder is instituted within four months from the approval of this Act.

Grier-Lowrance Construction Company, Incorporated.
Claim of, referred to Court of Claims

Proviso
Commencement of suit

Approved, May 6, 1937.

[CHAPTER 176]

AN ACT

For the relief of Margaret Scott Bayley.

May 6, 1937
[H. R. 3636]
[Private, No 73]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions and limitations of sections 15 and 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, the United States Employees' Compensation Commission be, and the same is hereby, authorized and directed to receive and consider, when filed, the claim of Margaret Scott Bayley for disability alleged to have been incurred by her while in the employment of the Veterans' Administration from June 28, 1920, to August 6, 1923, respectively, and to determine said claim

Margaret Scott Bayley.
Provisions of Employees' Compensation Act extended to.
39 Stat. 746, 747.
5 U. S. C. §§ 765-770.

Proviso.
No prior benefits.
Commencement of
suit

upon its merits under the provisions of said Act: *Provided, That* no benefits shall accrue prior to the enactment of this Act: *Provided further, That* claim hereunder shall be filed within six months after the approval of this Act.

Approved, May 6, 1937.

[CHAPTER 177]

AN ACT

For the relief of John J. Warner and W. B. Warner.

May 6, 1937
[H R 4522]
[Private, No 74]

John J and W B
Warner
Payment to

Proviso
Limitation on at-
torney's, etc, fees

Penalty for viola-
tion

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John J. Warner, of Spearville, Kansas, the sum of \$400, and to W. B. Warner, of Spearville, Kansas, the sum of \$200, in full settlement of all claims against the United States for damages to them caused by the death of twenty-four head of cattle, known as abortion reactors, in connection with the Government's efforts to eradicate this disease from the dairy herds of Ford County, Kansas: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 6, 1937.

[CHAPTER 178]

AN ACT

For the relief of the Polygraphic Company of America.

May 6, 1937
[H R 5304]
[Private, No 75]

Polygraphic Com-
pany of America
Payment to.

Proviso
Limitation on at-
torney's, etc, fees

Penalty for viola-
tion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,869.85 to the Polygraphic Company of America, such payment to be in full settlement of any claim against the Government of the United States for the printing of two million "NRA" stickers pursuant to contract numbered Cc-2069 executed in August 1934: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 6, 1937.

[CHAPTER 188]

AN ACT

For the relief of A. Sereiskis (Maxwell A. Rittenberg).

May 14, 1937
[H. R. 411]
[Private, No 76]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the immigration and naturalization laws, the Secretary of Labor is hereby authorized and directed to cancel the warrant of arrest and the order of deportation against A. Sereiskis (Maxwell A. Rittenberg) heretofore issued on the grounds that on April 18, 1927, admission to the United States had been fraudulently gained pursuant to the commission of a passport or visa offense which, subsequent to such admission, has heretofore been held by the Attorney General of the United States to be within the purview of "crimes involving moral turpitude" and thereupon A. Sereiskis (Maxwell A. Rittenberg) shall hereafter be deemed to have been lawfully admitted to the United States for permanent residence at New York, New York, on April 18, 1927. Any declaration of intention to become a citizen or any petition for citizenship heretofore filed by or any admission to citizenship ordered and certificate of naturalization heretofore issued to A. Sereiskis (Maxwell A. Rittenberg), which were predicated upon the claim of lawful admission to the United States for permanent residence on April 18, 1927, shall hereafter be deemed valid, unless the original seven-year period of validity of such declaration of intention has heretofore expired or A. Sereiskis (Maxwell A. Rittenberg) has heretofore been found otherwise not eligible to such benefit under the naturalization laws.

A. Sereiskis (Maxwell A. Rittenberg)
Relief from deportation and validation of previous admission, authorized

Condition.

Approved, May 14, 1937.

[CHAPTER 189]

AN ACT

For the relief of Mary E. Cavey, Joseph C. Kinney, and the estate of J. Edgar Gift, deceased.

May 14, 1937
[H. R. 1780]
[Private, No 77]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mary E. Cavey, of Ilchester, Maryland, daughter of Robert Cavey, deceased, former postmaster at Ilchester, Maryland, the sum of \$181.31, who, without prior designation by the Postmaster General, performed the duties of acting postmaster at the office at Ilchester from July 3, 1934, the date following the death of the former postmaster, until October 17, 1934, the day prior to the appointment of Mary E. Cavey as acting postmaster at Ilchester, both dates inclusive, such sum representing the amount of compensation which Mary E. Cavey would have been entitled to receive had she been regularly designated as acting postmaster for such period.

Mary E. Cavey
Payment to

SEC. 2. That the Comptroller General of the United States is hereby authorized and directed to credit the account of Joseph C. Kinney, postmaster at Stacyville, Iowa, with \$68.92, being the amount which he paid from the postal receipts of the post office at Stacyville, Iowa, to Mrs. George H. Kinney as compensation for her voluntary services in acting as postmaster at said post office from October 15 to November 6, 1933, inclusive, following the death of her husband, George H. Kinney, the former postmaster.

Joseph C. Kinney.
Credit in postal account

J. Edgar Gift.
Credit in postal account

SEC. 3. That the Comptroller General of the United States is hereby authorized and directed to credit, in the settlement and adjustment of accounts and claims for services rendered at third- and fourth-class post offices, the account of J. Edgar Gift, deceased, former postmaster at Lemasters, Pennsylvania, with \$64.76, being the amount deducted from the postal receipts of the post office at Lemasters, Pennsylvania, by Paul E. Gluck for his voluntary services as acting postmaster at said post office from February 23 to March 31, 1934, inclusive, following the death of the former postmaster.

Limitation on attorney's, etc., fees

SEC. 4. No part of the amount appropriated in section 1 of this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Penalty for violation

Approved, May 14, 1937.

[CHAPTER 190]

AN ACT

For the relief of Annie E. Hyland.

May 14, 1937
[H. R. 4233]
[Private, No. 78]

Annie E. Hyland
Payment to

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Annie E. Hyland, of San Francisco, California, the sum of \$821.40 in full satisfaction of her claim against the United States for injuries sustained on September 4, 1933, when she was struck by an Army fire engine: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso
Limitation on attorney's, etc., fees

Penalty for violation

Approved, May 14, 1937.

[CHAPTER 191]

AN ACT

To authorize the cancelation of deportation proceedings in the case of Salvatore Branchicella.

May 14, 1937
[H. R. 4451]
[Private, No. 79]

Salvatore Branchicella
Cancelation of deportation proceedings
39 Stat. 889, 890.
8 U. S. C. §§ 155, 156

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Labor is hereby authorized and directed to cancel the outstanding order and warrant of deportation issued pursuant to sections 19 and 20 of the Immigration Act of February 5, 1917 (39 Stat. 889, 890; U. S. C., title 8, secs. 155 and 156), in the case of Salvatore Branchicella, any provision of existing law to the contrary notwithstanding. From and after the date of the approval of this Act, Salvatore Branchicella shall not again be subject to deportation by reason of the same fact upon which the outstanding proceedings rest.

Approved, May 14, 1937.

[CHAPTER 192]

JOINT RESOLUTION

To authorize Captain Harry G. Hamlet, Captain Edward D. Jones, Lieutenant Commander Louis W. Perkins, Lieutenant Commander Frank T. Kenner, Lieutenant Dwight H. Dexter, and Chief Boatswain Thomas A. Ross, United States Coast Guard, to accept certain foreign decorations and diplomas.

May 14, 1937
[H J Res 185]
[Priv. Res., No. 1]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Captain Harry G. Hamlet, United States Coast Guard, be authorized to accept the decoration and diploma of Commendatore della Corona d'Italia; that Lieutenant Commander Louis W. Perkins, United States Coast Guard, be authorized to accept the decoration and diploma of Cavaliere della Corona d'Italia; that Lieutenant Commander Frank T. Kenner, United States Coast Guard, be authorized to accept the decoration and diploma of Cavaliere Ufficiale della Corona d'Italia; that Lieutenant Dwight H. Dexter, United States Coast Guard, be authorized to accept the decoration and diploma of Cavaliere Ufficiale della Corona d'Italia; that Chief Boatswain Thomas A. Ross, United States Coast Guard, be authorized to accept the decoration and diploma of Cavaliere della Corona d'Italia; such decorations and diplomas having been conferred upon these officers by the Government of Italy; and that the Department of State be permitted to deliver such decorations and diplomas to these officers.

Foreign decorations,
etc
Designated officers
may accept, from
Italy

Delivery by De-
partment of State

Captain Edward D
Jones may accept,
from Belgium

Delivery.

SEC. 2. That Captain Edward D. Jones, United States Coast Guard, be authorized to accept the diploma and the Cross of Chevalier of the Order of Leopold II, which have been conferred upon this officer by the Government of Belgium; and that the Department of State be permitted to deliver such decoration and diploma to this officer.

Approved, May 14, 1937.

[CHAPTER 199]

AN ACT

For the relief of Harry D. McIntosh.

May 15, 1937
[S 118]
[Private, No. 80]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Harry D. McIntosh, of Mount Clemens, Michigan, out of any money in the Treasury not otherwise appropriated, the sum of \$84, in full settlement of any and all claims against the Government for medical expenses incurred as a result of personal injuries suffered by his son, Douglas McIntosh, when he was struck by an Army school bus at Mount Clemens, Michigan, on December 5, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Harry D. McIn-
tosh
Payment to.

Proviso
Limitation on at-
torney's, etc., fees.

Penalty for viola-
tion

Approved, May 15, 1937.

[CHAPTER 200]

AN ACT

For the relief of George W. Hanna and Bertha M. Hanna.

May 15, 1937
[S 315]
[Private, No. 81]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to

George W. and Ber-
tha M. Hanna.
Payment to.

George W. Hanna and Bertha M. Hanna, of Paxton Springs, New Mexico, the sum of \$5,000 in full satisfaction of their claim against the United States on account of the death of their minor son, David Hanna, who was killed on October 1, 1935, when a truck which he was driving turned over in a ditch which had been dug across the Oso Ridge Forest Road in the Cibola National Forest in the State of New Mexico and left unmarked by employees of the Forest Service: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 15, 1937.

[CHAPTER 201]

AN ACT

For the relief of Rufus C. Long.

May 15, 1937
[S. 434]
[Private, No. 82]

Rufus C. Long
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Rufus C. Long, of Preston, Idaho, the sum of \$40. The payment of such sum shall be in full settlement of all claims against the United States on account of the slaughter, because of Bang's disease, of two cattle owned by the said Rufus C. Long: *Provided*, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 15, 1937.

[CHAPTER 202]

AN ACT

For the relief of B. W. Winward.

May 15, 1937
[S. 436]
[Private, No. 83]

B. W. Winward
Payment to

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to B. W. Winward, of Whitney, Idaho, the sum of \$20. The payment of such sum shall be in full settlement of all claims against the United States on account of the slaughter, because of Bang's disease, of one cow owned by the said B. W. Winward: *Provided*, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

Proviso
Limitation on attorney's, etc., fees.

be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 15, 1937.

Penalty for violation

[CHAPTER 203]

AN ACT

For the relief of Frank Dauwe, Alberto Esparza, Frank Van den Hende, Germain Van der Poorten, and Cesar Van Overbenborger.

May 15, 1937
[S. 461]

[Private, No. 84]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank Dauwe the sum of \$342.62; to Alberto Esparza the sum of \$75; to Frank Van den Hende the sum of \$726.25; to Germain Van der Poorten the sum of \$210; and to Cesar Van Overbenborger the sum of \$135; in all, \$1,488.87, in full settlement of all claims against the United States past or future on account of losses of growing crops on their land or damage to land adjoining Kelly Field, Texas, by reason of the Government's action in diverting the natural flow of surface waters by erecting a railroad embankment and a dike at Kelly Field, Texas: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Frank Dauwe, and others
Payment to

Proviso
Limitation on attorney's, etc., fees

Penalty for violation

Approved, May 15, 1937.

[CHAPTER 204]

AN ACT

For the relief of E. P. Conroy and Graham Conroy.

May 15, 1937
[S. 812]

[Private, No. 85]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to E. P. Conroy of Salem, Oregon, the sum of \$1,490, and to the regularly appointed, qualified, and acting guardian of Graham Conroy, a minor, of Salem, Oregon, the sum of \$500 in full satisfaction of their respective claims against the United States for damages for personal injuries suffered on September 8, 1935, at the intersection of Fremont Street and Thirty-third Avenue northeast, Portland, Oregon, when the automobile in which said E. P. Conroy and Graham Conroy were riding was struck by a Government ambulance, U. S. CCC numbered 7538, operated by L. C. Skinner, CC 9-164255, an employee of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary

E. P. Conroy and guardian of Graham Conroy
Payment to

Proviso
Limitation on attorney's, etc., fees.

Penalty for viola-
tion

notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 15, 1937.

[CHAPTER 205]

AN ACT

May 15, 1937

[S. 1313]

[Private, No. 86]

For the relief of Lieutenant Commander Chester B. Peake, Supply Corps, United States Navy.

Lt. Comdr. Chester
B. Peake, Navy.
Credit allowed in
accounts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of Lieutenant Commander Chester B. Peake, Supply Corps, United States Navy, with the sum of \$59.45, representing payments made by him to the late Commander William F. Gresham, United States Navy, as rental allowance for the period February 15 to March 31, 1935, and disallowed by the Comptroller General as being in excess of the rental allowance to which Commander Gresham was legally entitled.

Approved, May 15, 1937.

[CHAPTER 206]

AN ACT

May 15, 1937

[S. 1589]

[Private, No. 87]

For the relief of Mr. and Mrs. Robert O. Brown.

Mr. and Mrs. Rob-
ert O. Brown.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. Robert O. Brown, of Avery, Idaho, the sum of \$147.21 in full satisfaction of their claim against the United States for damages to their household effects caused by debris thrown upon their home as result of blasting operations on April 4, 1936, by the Forest Service, in connection with an Emergency Conservation Work road-construction project in the Saint Joe National Forest: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 15, 1937.

Proriso
Limitation on at-
torney's, etc., fees

Penalty for viola-
tion

[CHAPTER 207]

AN ACT

May 15, 1937

[S. 1631]

[Private, No. 88]

For the relief of Commander William I. Causey, United States Navy, and Lieutenant Commander Earl LeRoy Bailey, Supply Corps, United States Navy.

Comdr. William I.
Causey, Navy.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Commander William I. Causey, United States Navy, the sum of \$56.78, representing excess cost of travel checked against the accounts of this officer for travel performed in June 1935, and January 1936, under orders which authorized the use of a compartment for the purpose of transporting in his personal custody certain secret documents of the Navy.

SEC. 2. The Comptroller General of the United States is hereby authorized and directed to credit the accounts of Lieutenant Commander Earl LeRoy Bailey, Supply Corps, United States Navy, in the sum of \$80.95, representing the cost of extra half-fare railway ticket plus difference between cost of lower standard berth and compartment furnished Commander Cary W. Magruder, United States Navy, in April 1935, under orders which authorized the use of a compartment for the purpose of transporting in his personal custody certain secret documents of the Navy, which sum has been disallowed by the General Accounting Office in the accounts of Lieutenant Commander Bailey, Supply Corps.

Approved, May 15, 1937.

Lt. Comdr Earl LeRoy Bailey, Navy.
Credit in accounts.

[CHAPTER 208]

AN ACT

For the relief of Captain Benjamin Dutton, Junior, Captain C. H. J. Keppler, Commander Leo H. Thebaud, and Lieutenant Commander Gordon S. Bower, Supply Corps, United States Navy.

May 15, 1937
[S. 1632]

[Private, No. 80]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to credit the accounts of Captain Benjamin Dutton, Junior, United States Navy, in the amount of \$401.43; Captain C. H. J. Keppler, United States Navy, in the amount of \$1,078.76; Commander Leo H. Thebaud, United States Navy, in the amount of \$540.08; and Lieutenant Commander Gordon S. Bower, Supply Corps, United States Navy, in the amount of \$150.74, which sums represent payments of exchange relief made by these four officers to Captain Joseph J. A. McMullin, Medical Corps, United States Navy, in the amount of \$1,119.61; to Lieutenant Commander Lloyd E. Clifford, United States Navy, in the amount of \$540.08; and to Lieutenant (Junior Grade) F. P. Kreuz, Medical Corps, United States Navy, in the amount of \$511.32, and disallowed in their accounts by the Comptroller General of the United States.

Capt Benjamin Dutton, Jr., Navy,
and others
Credit in accounts of

Approved, May 15, 1937.

[CHAPTER 209]

AN ACT

For the relief of Edward L. Gockeler.

May 15, 1937
[H. R. 419]

[Private, No. 90]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the requirements of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in the case of Edward L. Gockeler, of Saranac Lake, New York, formerly employed from September 18, 1917, to January 1, 1918, as a clerk by the Committee on Public Information, Washington, District of Columbia, and the United States Employees' Compensation Commission is authorized and directed to consider and act upon any claim filed by him under the provisions of such Act, as amended, within six months after the date of enactment of this Act, for compensation for disability alleged to have resulted from tuberculosis contracted by him while in the performance of his duties as such employee, but compensation, if any, shall be paid from and after date of enactment of this Act.

Edward L. Gockeler.
Provisions of Employees' Compensation Act extended to.
39 Stat. 746, 747.
5 U S C §§ 766-770.

Time limitation.

No back pay.

Approved, May 15, 1937.

[CHAPTER 210]

AN ACT

May 15, 1937

[H. R. 1315]

[Private, No. 91]

To confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of W. J. Nolan, L. Jacobson, J. A. Higuera, C. H. Damsted, R. Galleguillo, F. G. Grigsby, K. H. Johnson, R. Dupouy, C. J. Degen, W. L. Nolan, R. C. Jensen, M. J. Roderick, L. K. Moore, C. Lederer, M. Kelley, R. Dinkel, A. J. Mouchou, C. R. Taylor, M. Knoll, S. W. Ligon, C. C. Johnson, W. P. Brennan, C. F. Siebert, and J. T. Weeks.

W. J. Nolan and
others.

Claims of, for over-
time labor, submitted
to Court of Claims.

Proviso
Commencement of
suit

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, determine, and render judgment upon the claims of W. J. Nolan, L. Jacobson, J. A. Higuera, C. H. Damsted, R. Galleguillo, F. G. Grigsby, K. H. Johnson, R. Dupouy, C. J. Degen, W. L. Nolan, R. C. Jensen, M. J. Roderick, L. K. Moore, C. Lederer, M. Kelley, R. Dinkel, A. J. Mouchou, C. R. Taylor, M. Knoll, S. W. Ligon, C. C. Johnson, W. P. Brennan, C. F. Siebert, and J. T. Weeks, all of Vallejo, California, for extra labor over and above the sixteen-hour period of duty per day required to be performed at Mare Island Navy Yard, California, which extra labor over said period was not in accordance with the order of the Secretary of the Navy, dated December 1, 1920: *Provided*, That the action in the Court of Claims to establish such losses and damages may be instituted within one year from the date of the approval of this Act, without regard to any statute of limitations.

Approved, May 15, 1937.

[CHAPTER 211]

AN ACT

May 15, 1937

[H. R. 4681]

[Private, No. 92]

For the relief of Edward C. Paxton.

Edward C. Paxton
Payment to.

49 Stat. 2246.

Proviso
Limitation on attor-
ney's, etc., fees.

Penalty for viola-
tion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edward C. Paxton the sum of \$1,374.50 in full satisfaction of his claim against the United States for the total of the amount disallowed in his expense accounts for travel and subsistence expenses incurred while traveling on a foreign vessel from New York City, New York, to Sydney, Australia, as a representative of the Foreign Agricultural Service, Department of Agriculture, and of the amount paid by the Government to a steamship company for transportation requests issued to and used by him in connection with said travel, and which the said Edward C. Paxton was required by the Comptroller General of the United States to refund to the United States prior to the approval of Private Law Numbered 450, Seventy-fourth Congress, and while such legislation was pending; which authorized and directed the Comptroller General to allow in the accounts of the said Edward C. Paxton in the sum of \$324.50 and to relieve him of any liability for the payment of the sum of \$1,050: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 15, 1937.

[CHAPTER 212]

AN ACT

For the relief of Melba Kuehl.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Melba Kuehl, postmaster at Breed, Wisconsin, the sum of \$103.07 in full satisfaction of her claim for compensation for services rendered while acting as such postmaster between the dates of April 24, 1933, and August 16, 1933, after the death of the former postmaster and before she was officially designated as such postmaster: Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 15, 1937.

May 15, 1937

[S 74]

[Private, No 93]

Melba Kuehl.
Payment to*Proviso*
Limitation on attorney's, etc., fees

Penalty for violation

[CHAPTER 213]

AN ACT

For the relief of the estate of Grace M. Moore, deceased.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States, in the settlement and adjustment of accounts and claims for services rendered at third- and fourth-class post offices, be, and he is hereby, authorized and directed to credit the account of Grace M. Moore, deceased, former postmaster at Fostoria, Michigan, with \$750.92, being the amount paid from postal receipts to Andy A. Moore for his voluntary services as acting postmaster at that office from January 5, 1933, to October 12, 1933, inclusive.

Approved, May 15, 1937.

May 15, 1937

[S 590]

[Private, No 94]

Grace M. Moore
(deceased).
Adjustment of postal accounts, etc.

[CHAPTER 214]

AN ACT

For the relief of Alban C. Sipe.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General be, and he is hereby, authorized and directed to cancel the charge, in the amount of \$871.39, entered on the accounts of Alban C. Sipe, former postmaster at Broadview, Montana, by reason of his deposit of funds of the United States in the First National Bank, of Broadview, Montana, and the subsequent failure of such bank.

Approved, May 15, 1937.

May 15, 1937

[S 1147]

[Private, No 95]

Alban C. Sipe.
Charge against accounts of, canceled

[CHAPTER 215]

AN ACT

For the relief of Henry H. Carr; Robert E. Wise, Stanley Wise Ellis, and Peyton L. Ellis; and Hilory Wise and Flora A. Wise.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Henry H. Carr, owner of a certain farm consisting of three hundred and four acres of land, more or less, near Camp Knox in Hardin County,

May 15, 1937

[H R. 327]

[Private, No 96]

Henry H. Carr and others
Suit for damages authorized.

Jurisdiction conferred upon district court.

Proviso.
Time limitation.

Kentucky; and Robert E. Wise, Stanley Wise Ellis, and Peyton L. Ellis, owners of a certain farm consisting of two hundred acres of land, more or less, near Camp Knox in Hardin County, Kentucky; and Hilory Wise and Flora A. Wise, owners of a certain farm consisting of two hundred and forty acres of land, more or less (in two separate fees of one hundred and twenty acres each, more or less) near Camp Knox in Hardin County, Kentucky, are, as such owner or owners, hereby authorized to bring such suit or suits as they may respectively desire to so do against the United States of America, to recover damages, if any, for loss or losses, which they may have sustained or suffered, as such respective owners, by reason of establishment, construction, or maintenance of Camp Knox in the State of Kentucky. Jurisdiction is hereby conferred upon the District Court of the United States for the Western District of Kentucky to hear, consider, determine, and render judgments for the respective amounts of such damages, if any, as may be found to have been sustained or suffered by the said owners of said farms, with the same right of appeal as in other cases, and notwithstanding any lapse of time or statute of limitation: *Provided*, That such action will be brought within one year from the date that this Act shall become effective.

Approved, May 15, 1937.

[CHAPTER 216]

AN ACT

For the relief of William E. Graham.

May 15, 1937
[H. R. 705]

[Private, No. 97]

William E. Graham.
Payment to.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, and in full settlement of all claims against the Government, the sum of \$3,500 to William E. Graham, son of John and Leva Graham, for the loss of his right eye and impaired hearing of his right ear, the result of having been struck in the right side of the face with a ball bat on May 27, 1934, in the hands of an enrollee of Camp Adams, Civilian Conservation Corps camp located in Adams County, Ohio: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 15, 1937.

[CHAPTER 217]

AN ACT

For the relief of C. A. Jones and Elbert Gentry.

May 15, 1937
[H. R. 710]

[Private, No. 98]

C. A. Jones and
Elbert Gentry.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to C. A. Jones, of Tyler, Texas, the sum of \$150, and to Elbert

Gentry, of Tyler, Texas, the sum of \$500. The payment of such sums shall be in full settlement of all claims against the United States for personal injuries and property damage received when the vehicle in which they were riding was struck near Tyler, Texas, on February 29, 1936, by a vehicle operated by an employee of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 15, 1937.

[CHAPTER 218]

AN ACT

For the relief of John Mack.

May 15, 1937
[H. R. 844]

[Private, No. 99]

John Mack.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to John Mack, Cataldo, Idaho, the sum of \$442.40. Such sum shall be in full settlement of all claims against the United States for damages sustained by the said John Mack on account of personal injuries received on October 5, 1935, when the car in which he was riding on United States Highway Numbered 10, near Kellogg, Idaho, was struck by a Government truck in the service of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, May 15, 1937.

[CHAPTER 219]

AN ACT

For the relief of V. P. Johnson.

May 15, 1937
[H. R. 4242]

[Private, No. 100]

V. P. Johnson
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to V. P. Johnson, of Vicksburg, Mississippi, out of any money in the Treasury not otherwise appropriated, the sum of \$500 in full satisfaction of his claim against the United States for loss by fire of motorboat on April 24, 1927, while said boat was leased by the United States Engineers and in the service of the United States: *Provided*, That no part of the amount appropriated in this Act in excess of 10

Proviso.
Limitation on attorney's, etc., fees.

Penalty for viola-
tion.

per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 15, 1937.

[CHAPTER 225]

AN ACT

For the relief of Sallie Gillespie.

May 18, 1937
[H. R. 4391]
[Private, No. 101]

Sallie Gillespie
Provisions of Em-
ployees' Compensation
Act extended to
39 Stat 746
5 U S C §§ 765-770

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitations of time in sections 15 to 20, inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., title 5, secs. 767, 770), are hereby waived in favor of Sallie Gillespie, the widow of Lynus P. Gillespie, of Millett, Texas, who is alleged to have sustained an injury while employed as a patrol inspector and prohibition agent about the first part of July 1927 which resulted in his death on June 16, 1929, and her case is authorized to be considered and acted upon under the remaining provisions of such Act, as amended, if she files a notice of such injury and claim for compensation with the United States Employees' Compensation Commission not later than six months after the date of the enactment of this Act: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Proviso
No prior benefits

Approved, May 18, 1937.

[CHAPTER 228]

AN ACT

For the relief of Warren J. Fox.

May 19, 1937
[S. 1590]
[Private, No. 102]

Warren J. Fox
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$107.75 to Warren J. Fox, of Amity, Arkansas, in full satisfaction of all his claims against the United States for reimbursement for time, money, and effort expended by him in improving the tract of land (the north one-half of the southwest quarter of section 5, township 6 south, range 24 west, fifth principal meridian of Arkansas) which he was erroneously allowed by the General Land Office to enter as a homestead when it was in fact already privately owned: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso
Limitation on attor-
ney's, etc., fees

Penalty for viola-
tion

Approved, May 19, 1937.

[CHAPTER 232]

AN ACT

To authorize the Secretary of War to convey to the International Young Men's Christian Association College and to the trustees of the Gunn Realty Trust all right, title, and interest of the United States in and to certain lands in Hampden County, Massachusetts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized and directed to execute, and to deliver to the International Young Men's Christian Association College of Springfield, Massachusetts, a deed conveying to such college all right, title, and interest of the United States in and to certain lands (together with improvements thereon) situated in Hampden County, Massachusetts, being two parcels described as follows:

Parcel 1. Beginning at an iron rod in the northerly line of Hickory Street, in Springfield, Hampden County, Commonwealth of Massachusetts, said iron rod being one hundred feet westerly on said northerly line from a stone bound placed in the point of intersection of said northerly line with the westerly line of Middlesex Street; thence westerly on said northerly line of said Hickory Street thirty-one feet to a point; thence north twenty-one degrees thirty-five minutes east thirty-three and fifteen one-hundredths feet to the agreement line as described in a deed of Edwin H. Robbins to International Young Men's Christian Association College, dated May 28, 1926, recorded in Hampden County registry of deeds in book 1316 on page 367 and in deed of International Young Men's Christian Association College to Edwin H. Robbins of the same date and recorded in said registry of deeds in book 1316 on page 368; thence southeasterly along said agreement line twenty-six and eighty-eight one-hundredths feet to the place of beginning;

Parcel 2. Beginning at the point of intersection of the agreement line referred to in parcel 1 with the southerly line of lot 19 as shown on a plan of lots filed in Hampden County registry of deeds in book of plans M on page 44 and running thence northwesterly along said agreement line eleven and seventy-six one-hundredths feet to lot 17 on said plan; thence continuing along said agreement line and in the same course twenty and sixteen one-hundredths feet to a point; thence continuing along said agreement line but in a westerly course twenty feet more or less to a point, said point being in the southwesterly line of land of the United States of America; thence south forty degrees east forty feet more or less along said line of the United States of America to a point; thence south sixty-eight degrees thirty minutes east twenty-five and five one-hundredths feet to a point in said agreement line; thence northwesterly along said agreement line fourteen and seventeen one-hundredths feet to the place of beginning;

Intended to describe in the above two parcels the land of the United States of America lying northerly of Hickory Street, and westerly and southerly of said agreement line, which said land is a portion of that described as the third parcel in a deed of Samuel Aspinwall, guardian of Philip F. Aspinwall, to the United States of America, dated November 12, 1857, and recorded in said registry of deeds in book 193 on page 57.

Sec. 2. The Secretary of War is authorized and directed to execute, and to deliver to the trustees of the Gunn Realty Trust, a deed conveying to such trustees all right, title, and interest of the United States in and to certain lands (together with improvements thereon) situated in Hampden County, Massachusetts, described as follows:

Beginning at a point on the northerly side of Hickory Street, in Springfield, Hampden County, Commonwealth of Massachusetts,

May 20, 1937
[H. R. 4892]
[Private, No. 103]

International
Young Men's Christian
Association College,
Springfield,
Mass.
Conveyance of cer-
tain lands to.

Description.

Trustees of the
Gunn Realty Trust
Conveyance of cer-
tain lands to

Description

said point being sixty-one and seventy one-hundredths feet westerly along the northerly side of said Hickory Street from a stone bound at the northwesterly intersection of Hickory Street with Middlesex Street and running thence north thirty-five degrees five minutes west forty-eight and eighteen one-hundredths feet to a point; thence north twenty degrees west forty-eight and eighteen one-hundredths feet to a point; thence north fifty-three degrees west fifty and sixteen one-hundredths feet to a point; thence north seventy degrees forty-five minutes west forty-four and eighty-eight one-hundredths feet to a point; thence north fifty degrees forty-five minutes west forty-four and twenty-two one-hundredths feet to a point; thence north fifty-one degrees forty-five minutes west forty-nine and fifty one-hundredths feet to a point; thence north fifty-eight degrees fifteen minutes west forty and twenty-six one-hundredths feet to a point; thence south eighty degrees west thirty-seven and sixty-two one-hundredths feet to a point; thence south forty-two degrees thirty-five minutes east forty-one and fifty-eight one-hundredths feet to a point; thence south fifty-nine degrees fifteen minutes east eighty-four and forty-eight one-hundredths feet to a point; thence south forty degrees east twenty feet more or less to the agreement line as described in a deed of Edwin H. Robbins to International Young Men's Christian Association College, dated May 28, 1926, recorded in Hampden County registry of deeds in book 1316 on page 367 and in deed of International Young Men's Christian Association College to Edwin H. Robbins of the same date and recorded in said registry of deeds in book 1316 on page 368; thence southeasterly along said agreement line twenty feet more or less to a point; thence southeasterly along said agreement line twenty and sixteen one-hundredths feet to a point in the westerly line of lot nineteen on a plan of lots filed in said registry of deeds in book of plans M on page 44; thence continuing southeasterly along said agreement line eleven and seventy-six one-hundredths feet to a point in the northerly line of lot 20 on said plan; thence continuing along said agreement line and in the same course fourteen and seventeen one-hundredths feet to a point; thence south sixty-eight degrees thirty minutes east forty-two and ninety-two one-hundredths feet to a point; thence south twenty-seven degrees twenty minutes east forty-four and twenty-two one-hundredths feet to a point; thence south twenty-one degrees thirty-five minutes west thirteen and five one-hundredths feet to the point of intersection of said course with said agreement line; thence southeasterly along said agreement line twenty-six and eighty-eight one-hundredths feet to an iron rod in the northerly line of Hickory Street; thence east along said northerly line of said Hickory Street thirty-eight and thirty one-hundredths feet to the place of beginning;

Intending to describe in the above parcel land of the United States of America lying northerly of Hickory Street, westerly of Middlesex Street, and southerly of Barnstable Street, which said land is a portion of that described as third parcel in deed of Samuel Aspinwall, guardian of Philip F. Aspinwall, to the United States of America, dated November 12, 1857, and recorded in said registry of deeds in book 193 on page 57, and land described as third parcel in deed of Jonathan Carlisle to the United States of America, dated November 5, 1857, and recorded in said registry of deeds in book 193 on page 59.

SEC. 3. The grantees in such deeds shall bear any expenses (other than for the preparation of such deeds) necessary to carry out this Act, but shall not be required to pay any consideration for the right, title, and interest conveyed.

Approved, May 20, 1937.

[CHAPTER 233]

AN ACT

To provide for the issuance of a license to practice the healing art in the District of Columbia to Doctor William Hollister.

May 20, 1937
[H. R. 5142]
[Private, No. 104]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any limitation relating to the time within which an application for a license must be filed, the Commission on Licensure to Practice the Healing Art in the District of Columbia is authorized and directed to issue a license to practice the healing art in the District of Columbia to Doctor William Hollister, of New Bern, North Carolina, in accordance with the provisions of first paragraph of section 24 of the Healing Arts Practice Act, District of Columbia, 1928.

Approved, May 20, 1937.

Dr. William Hollister.
License to practice the healing art in the District of Columbia granted to.

45 Stat. 1334.

[CHAPTER 234]

AN ACT

For the relief of Charles Somogi, Junior.

May 20, 1937
[H. R. 5354]
[Private, No. 105]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles Somogi, Junior, the sum of \$2,500 in full settlement of all claims against the Government of the United States for injuries received by him when he was struck and injured on August 24, 1928, near West Portal, county of Hunterdon, New Jersey, by an automobile driven by one Orville McGee, who was employed at that time and whose car was used at that time in the employ of the Department of Commerce, Bureau of Lighthouses, United States Government: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Charles Somogi, Jr.
Payment to.

Proviso.
Limitation on attorney's, etc., fees

Penalty for violation.

Approved, May 20, 1937.

[CHAPTER 238]

AN ACT

For the relief of Doctor E. T. Kirkendall.

May 22, 1937
[H. R. 1119]
[Private, No. 106]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Doctor E. T. Kirkendall, of Columbus, Ohio, the sum of \$2,000 in full settlement of his claim against the United States for personal injuries and property damage sustained when the car in which he was riding was hit by a Government truck in the service of the Civilian Conservation Corps, October 24, 1935, at the intersection of

Dr. E. T. Kirkendall.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Fifth Avenue and Nelson Road, Columbus, Ohio: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 22, 1937.

[CHAPTER 239]

AN ACT

For the relief of James M. Winter.

May 22, 1937
[H. R. 1346]

[Private, No. 107]

James M. Winter
Provisions of Employees' Compensation Act extended to 39 Stat. 746
5 U. S. C. §§ 765-770

Provisos
Time limitation
No prior benefits

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitations of time in sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of James M. Winter, a former employee of the Army Transport Service, for disability alleged to have been incurred between September 16, 1918, and June 30, 1920, and the United States Employees' Compensation Commission is hereby authorized to receive and consider his claim under the remaining provisions of said Act: *Provided*, That claim hereunder shall be made within six months after the approval of this Act: *Provided further*, That no benefits shall accrue prior to the approval of this Act.

Approved, May 22, 1937.

[CHAPTER 240]

AN ACT

For the relief of Helen Marie Lewis.

May 22, 1937
[H. R. 2218]

[Private, No. 108]

Helen Marie Lewis
Redemption of mutilated Liberty bond.

Provisos
Condition.

Surety bond

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem in favor of Helen Marie Lewis, Independence, Missouri, a United States temporary coupon bond, the serial number of which is unknown, for \$50 of the Second Liberty Loan converted 4¼ per centum per annum bonds of 1927-1942, with interest from May 15, 1920, to November 15, 1927, the date on which bonds of that loan were called for redemption, without presentation of the missing portions of the bond, large portions having been presented to the Treasury Department: *Provided*, That the missing portions of the said bond shall not have been previously presented or ascertained to be in existence and that no payment shall be made hereunder for any coupons which may have been attached to the temporary bond: *And provided further*, That the said Helen Marie Lewis shall first file in the Treasury Department a bond in the penal sum of double the amount of the principal of the said bond and the interest payable thereon from May 15, 1920, to November 15, 1927, inclusive, in such form and with such corporate surety as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the mutilated bond hereinbefore described.

Approved, May 22, 1937.

[CHAPTER 241]

AN ACT

For the relief of George T. Heppenstall.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to George T. Heppenstall, of Seattle, Washington, the sum of \$301.50, in full satisfaction of his claim against the United States on account of injuries growing out of the accident on March 25, 1935, near Angle Lake, King County, Washington, when an automobile in which he was riding was struck by a Civilian Conservation Corps truck negligently driven: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 22, 1937.

May 22, 1937
[H R 4329]
[Private, No. 109]

George T. Heppen-
stall
Payment to.

Proviso
Limitation on attor-
ney's, etc., fees.

Penalty for viola-
tion

[CHAPTER 242]

AN ACT

Granting a pension to Helen H. Taft.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Helen H. Taft, widow of William Howard Taft, late a President of the United States, and to pay her a pension at the rate of \$5,000 per annum.

Approved, May 22, 1937.

May 22, 1937
[H R 6566]
[Private, No. 110]

Helen H. Taft.
Pension granted to

[CHAPTER 250]

AN ACT

To confer jurisdiction on the United States District Court for the Southern District of New York to hear, determine, and render judgment on the claim of A. Mateos and Sons, owner of the coal hulk Callixene.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the claim of A. Mateos and Sons, owner of the coal hulk Callixene, against the United States for damages alleged to have been sustained by the Callixene as the result of a collision with the United States ships Seneca and Ophir in the harbor of Gibraltar, Spain, on February 10, 1919, may be determined in a suit to be brought by said claimant against the United States in the United States District Court for the Southern District of New York, sitting as a court of admiralty and acting under the rules governing such court in admiralty cases, and that such court shall have jurisdiction to hear and determine said suit and to enter a judgment or decree for the amount of such

May 24, 1937
[H R 4778]
[Private, No. 111]

A. Mateos and Sons.
Claim of, submitted
to District Court.

Jurisdiction con-
ferred

Proviso
Notice to Attorney
General.

Commencement of
suit.

damages and costs, if any, as shall be found due against the United States in favor of the said A. Mateos and Sons, or against the said A. Mateos and Sons in favor of the United States, by reason of such collision, upon the same principles and under the same measures of liability as in like cases between private parties and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and upon such notice it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That such suit shall be begun within four months of the date of the approval of this Act.

Approved, May 24, 1937.

[CHAPTER 251]

AN ACT

For the relief of the estate of Robert Edwin Lee.

May 24, 1937
[H R 5311]
[Private, No. 112]

Robert Edwin Lee,
Payment to estate
of

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to the administrator of the estate of Robert Edwin Lee, late of Murrells Inlet, South Carolina, the sum of \$5,000. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by the said estate of Robert Edwin Lee on account of his death when the vehicle in which he was a passenger was struck on November 12, 1934, near Awendaw, South Carolina, by a truck in the services of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 24, 1937.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation

[CHAPTER 257]

AN ACT

For the relief of the Union Shipping and Trading Company, Limited.

May 25, 1937
[H R 859]
[Private, No. 113]

Union Shipping and
Trading Company,
Ltd
Claim of, submitted
to District Court.

Jurisdiction conferred

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the claim of the Union Shipping and Trading Company, Limited, against the United States of America for damages alleged to have been caused by a collision on April 25, 1918, near Pauillac, in the Gironde River, France, between the Spanish steamship Consuelo (at the time of the collision the British steamship Reims) and the American steamship Berwind, then in the transport service of the United States War Department, may be sued for by the said Union Shipping and Trading Company, Limited, in the District Court of the United States for the Southern District of New York, sitting as a court of admiralty and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such suit (in accordance with the principles of libels in rem and/or in personam), and to enter a

judgment or decree for the amount of such damages (not including interest) and costs, if any, as shall be found to be due against the United States in favor of the said Union Shipping and Trading Company, Limited, or against the said Union Shipping and Trading Company, Limited, in favor of the United States upon the same principles and measures of liability as in like cases in admiralty between private parties and with the same rights of appeal: *Provided*, That at the trial of said suit the written report or reports concerning said collision made by the pilot, master, any officer or member of the crew of the steamship Berwind, who is not available to testify because he is dead or cannot be found, may be admitted in evidence if offered in behalf of the United States: *Provided further*, That such notice of the said suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this Act.

Approved, May 25, 1937.

Proviso.
Admissibility of certain reports in evidence.

Notice to Attorney General

Commencement of suit.

[CHAPTER 258]

AN ACT

For the relief of Luvenia Flowers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Luvenia Flowers, of Coward, South Carolina, widow of Andrew Flowers, the sum of \$5,000. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by the widow of Andrew Flowers on account of the loss of the life of her husband, who was killed on October 12, 1934, near Coward, South Carolina, by a truck in the service of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 25, 1937.

May 25, 1937
[H. R. 1790]
[Private, No. 114]

Luvenia Flowers.
Payment to.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 259]

AN ACT

For the relief of Donald L. Bookwalter.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$90, to Donald L. Bookwalter, of Dayton, Ohio, in full satisfaction of his claim against the United States for services rendered, from April 1 to June 12, 1935, to the Federal Emergency Relief Administration of the United States Government in transporting

May 25, 1937
[H. R. 2352]
[Private, No. 115]

Donald L. Bookwalter.
Payment to.

clients from the Dayton (Ohio) Transient Service Bureau to United States Government transient camps at Patterson Field, at Fairfield, Ohio, under and in pursuance of a plan formulated by the Federal Emergency Relief Administration, and while he was an employee thereof.

Limitation on attorney's, etc., fees.

SEC. 2. That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Penalty for violation.

Approved, May 25, 1937.

[CHAPTER 260]

AN ACT

For the relief of D. B. Carter

May 25, 1937
[H. R. 3573]

[Private, No. 116]

D. B. Carter
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to D. B. Carter, of Richmond, Virginia, out of any money in the Treasury not otherwise appropriated, the sum of \$3,000 in full settlement of all claims against the Government of the United States for personal injuries caused by an automobile truck leased to the United States Coast and Geodetic Survey, and driven by an enlisted man named Frank Swoveland, on January 14, 1934, about five miles west of Portsmouth, Virginia: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proriso
Limitation on attorney's, etc., fees

Penalty for violation.

Approved, May 25, 1937.

[CHAPTER 265]

AN ACT

For the relief of B. B. Odom and Lilla Odom.

May 25, 1937
[H. R. 3773]

[Private, No. 117]

B. B. Odom and
Lilla Odom.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to B. B. Odom and Lilla Odom, of Eatonton, Georgia, jointly, the sum of \$805 in full satisfaction of their claim against the United States for the value of one hundred and sixty-one acres of land at \$5 per acre, located in Putnam County, Georgia, which they conveyed by deed to the Government, represented by the Resettlement Administration, then the Federal Emergency Relief Administration, said deed describing the land as six hundred and thirty acres, more or less, on the basis of which they were paid, but upon survey by the General Land Office the tract was found to contain seven hundred

and ninety-one acres, exceeding by the said one hundred and sixty-one acres the tract of land described and conveyed by said deed: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall upon conviction thereof be deemed guilty of a misdemeanor and fined in any sum not exceeding \$1,000.

Approved, May 25, 1937.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation

[CHAPTER 267]

AN ACT

For the relief of Albert Wheeler.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Albert Wheeler, Davis City, Iowa, the sum of \$403.37, such sum to be in full settlement of all claims against the United States for damages sustained by him as the result of personal injuries received by his wife when struck by a Civilian Conservation Corps truck on August 28, 1935, at Davis City, Iowa, from which injuries she died on September 1, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 26, 1937.

May 26, 1937
[H. R. 593]
[Private, No. 118]

Albert Wheeler.
Payment to.

Proviso.
Limitation on attorney's, etc., fees

Penalty for violation

[CHAPTER 271]

AN ACT

For the relief of May Howard Bloedorn.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to May Howard Bloedorn the sum of \$4,500, in full settlement of her claim against the United States for the destruction of certain houses situate in lots 950 and 962, square 5869, at Anacostia, District of Columbia, by the so-called bonus marchers in 1932; said houses having been loaned, at the request of an officer of the Metropolitan Police Department of Washington, District of Columbia, for the shelter of certain sick marchers, by the said May Howard Bloedorn: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, May 27, 1937.

May 27, 1937
[H. R. 1092]
[Private, No. 119]

May Howard Bloedorn.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation

[CHAPTER 272]

AN ACT

For the relief of William A. McMahan.

May 27, 1937

[H. R. 1254]

[Private, No. 120]

William A. McMahan.

Provisions of Employees' Compensation Act extended to.
39 Stat. 746, 747
5 U. S. C. §§ 766-770.*Provisions*Time limitation
No prior benefits

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider, when filed, the claim of William A. McMahan, of El Paso, Texas, for disability alleged to have been incurred by him during the period from September 1923 through February 1924, while in the employment of the Post Office Department as postmaster at Sidon, Arkansas, and to determine said claim upon its merits under the provisions of said Act: *Provided*, That claim hereunder shall be filed within six months after the approval of this Act: *Provided further*, That no benefits shall accrue prior to the enactment of this Act.

Approved, May 27, 1937.

[CHAPTER 294]

AN ACT

For the relief of Horace Hutcheson, a minor.

June 2, 1937

[H. R. 1280]

[Private, No. 121]

Horace Hutcheson.
Payment to guardian of.*Proviso*
Limitation on attorney's, etc., fees.

Penalty for violation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000 to the legal guardian of Horace Hutcheson, a minor, of Jasper, Alabama, in full settlement of all claims against the Government of the United States for injuries received by said minor on the 3d day of July 1936 as the result of an explosion of a dynamite cap, or detonator, the property of the United States, which was negligently left in an unprotected manner by the employees of the Works Progress Administration, an agency of the United States: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 2, 1937.

[CHAPTER 298]

AN ACT

For the relief of Marion McGlothlin, the Baylor Hospital, Doctor F. M. Gilbert, and Doctor T. C. Gilbert.

June 3, 1937
[H. R. 860]
[Private, No. 122]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Marion McGlothlin, of Dallas County, Texas, the sum of \$7,500, in full satisfaction of her claim against the United States for the death of her husband, F. Marion McGlothlin, and for personal and permanent injuries suffered by herself, when they were shot without cause by Federal prohibition agents at their store, near Irving, Dallas County, Texas, on the night of April 8, 1932.

Marion McGlothlin.
Payment to.

SEC. 2. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Baylor Hospital, of Dallas, Texas, the sum of \$27.50; to Doctor F. M. Gilbert, of Irving, Texas, the sum of \$11; and to Doctor T. C. Gilbert, of Dallas, Texas, the sum of \$150; in all, \$188.50, in full satisfaction of their claims against the United States for medical, surgical, and hospital care and treatment rendered Marion McGlothlin, who suffered personal injuries when she was shot without cause by Federal prohibition agents, near Irving, Dallas County, Texas, on April 8, 1932.

Baylor Hospital of Dallas, Tex., and others.
Payment to.

SEC. 3. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 3, 1937.

[CHAPTER 299]

AN ACT

For the relief of Hedwig Grassman Stehn.

June 3, 1937
[H. R. 2469]
[Private, No. 123]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Hedwig Grassman Stehn of Bridgeport, Connecticut, the sum of \$1,500, in full settlement of all claims against the Government of the United States for personal injuries to her as a result of the explosions of munitions on board the United States Army steam lighter Amackassin anchored at Fort Hamilton (Brooklyn), New York, on December 5, 1920: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Hedwig Grassman Stehn.
Payment to.

Proviso
Limitation on attorney's, etc., fees

Penalty for violation.

Approved, June 3, 1937.

[CHAPTER 300]

AN ACT

For the relief of William Randolph Cason.

June 3, 1937

[H. R. 3268]

[Private, No. 124]

William Randolph
Cason.
Payment to.

Proviso
Limitation on attor-
ney's, etc., fees.

Penalty for viola-
tion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William Randolph Cason, of West Asheville, North Carolina, the sum of \$2,000 in full settlement of his claim against the United States for personal injuries received when a shell, which was left on the premises of the said William Randolph Cason by the armed forces of the United States at Camp Sevier, South Carolina, exploded while the land was being cleared for cultivation on March 24, 1919: *Provided*, That no part of the amount appropriated in this Act in excess of ten per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 3, 1937.

[CHAPTER 301]

AN ACT

For the relief of Miles C. Baxter, Anse Cockran, Sam Cornett, Mrs. Louie Hesterly, and Mrs. George Lovell.

June 3, 1937

[H. R. 4870]

[Private, No. 125]

Miles C. Baxter and
others
Payment to.

Proviso
Limitation on attor-
ney's, etc., fees

Penalty for viola-
tion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Miles C. Baxter, Riverside, Alabama, the sum of \$500; to Anse Cockran, Riverside, Alabama, the sum of \$250; to Sam Cornett, Eden, Alabama, the sum of \$100; to Mrs. Louie Hesterly, Pell City, Alabama, the sum of \$250; and to Mrs. George Lovell, Pell City, Alabama, the sum of \$250. The payment of such sums shall be in full settlement of all claims against the United States for personal injuries to the above-named persons as a result of being struck, on September 3, 1936, on United States Highway Numbered 78, near Riverside, Alabama, by a vehicle in the service of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 3, 1937.

[CHAPTER 302]

AN ACT

For the relief of the Great Northern Railway Company.

June 7, 1937

[H. R. 3354]

[Private, No. 126]

Great Northern
Railway Company.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the Great Northern Railway Company, Saint Paul, Minnesota,

out of any money in the Treasury not otherwise appropriated, the sum of \$1,298.50 in full satisfaction of its claim against the United States for a refund of construction charges on a grant of thirty-seven and one-tenth acres of land in the Sun River irrigation project in the State of Montana upon which the said Great Northern Railway Company proposed to locate and construct a line of railway under the Act of March 3, 1875, which line of railway was never constructed, and which grant was canceled by court decree in April, 1921: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso
Limitation on attorney's, etc., fees

Penalty for violation.

Approved, June 7, 1937.

[CHAPTER 304]

AN ACT

For the relief of Eliza Boykin.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, the sum of \$4,088 to Eliza Boykin, of Algiers, Louisiana, in full satisfaction of her claim against the United States for compensation due her as the unmarried widow of Archie Boykin, deceased, the checks for which compensation were received by another person without the knowledge of the said Eliza Boykin and cashed by such other person, who received the money paid thereon: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

June 8, 1937
[H R 3926]
[Private, No. 127]

Eliza Boykin.
Payment to.

Proviso
Limitation on attorney's, etc., fees

Penalty for violation.

Approved, June 8, 1937.

[CHAPTER 310]

AN ACT

For the relief of John W. Bolin.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions and limitations of sections 17 and 20 of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in the case of John W. Bolin, of Salem, Oregon; and the United States Employees' Compensation Commission is authorized and directed to consider and act upon any claim filed with the Commission, within one year after the date of the enactment of this Act, by said John W. Bolin for medical treatment under the provisions of said Act of September 7, 1916, as amended, for disability alleged

June 9, 1937
[H R 1232]
[Private, No. 128]

John W. Bolin.
Provisions of Employees' Compensation Act extended to.
39 Stat. 746.
5 U. S. C. §§ 767, 770.

Provido.
No prior benefits.

to be due to injury received by him while employed as a mail carrier at Salem, Oregon, during August 1924: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Approved, June 9, 1937.

[CHAPTER 312]

AN ACT

For the relief of Farley J. Holloman.

June 10, 1937
[S 451]

[Private, No 129]

Farley J. Holloman
Disability claim of,
consideration author-
ized

48 Stat. 351.

Provido.
No prior benefits.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission be, and is hereby, authorized and directed to consider the claim of Farley J. Holloman, of Ada, Oklahoma, a former employee of the Civil Works Administration, for injuries received on or about March 3, 1934, while working on a CWA project at the Smith gravel pit located about eight miles east of Ada, Oklahoma, under the provisions of an Act entitled "An Act making an additional appropriation to carry out the purposes of the Federal Emergency Relief Act of 1933, for continuation of the Civil Works program, and for other purposes", approved February 15, 1934, notwithstanding the lapse of more than one year in filing such claim: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Approved, June 10, 1937.

[CHAPTER 313]

AN ACT

For the relief of John E. Sandage.

June 10, 1937
[H R 1304]

[Private, No 130]

John E. Sandage
Disability claim of,
consideration author-
ized

Providos.
No prior benefits.

Time limit for filing
claim

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission be, and is hereby, authorized to consider and determine, in the same manner and to the same extent as if application for the benefits of the Employees' Compensation Act had been made within the one-year period required by sections 17 and 20 thereof, the claim of John E. Sandage on account of disability due to loss of an eye alleged to have been proximately caused by his employment in the service of the United States between September 8, 1929, and December 31, 1932: *Provided*, That no benefits shall accrue prior to the enactment of this Act: *Provided further*, That claim hereunder shall be filed within six months after the approval of this Act.

Approved, June 10, 1937.

[CHAPTER 314]

AN ACT

For the relief of Frank Cubero.

June 10, 1937
[H R 2554]

[Private, No 131]

Frank Cubero
Provisions of Em-
ployees' Compensa-
tion Act extended to

39 Stat. 746
5 U. S. C. §§ 765-770.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions and limitations of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in the case of Frank Cubero (claim numbered 475406); and the United States Employees' Compensation Commission is authorized and directed to consider and act upon any claim filed with the

Commission within one year after the date of the enactment of this Act by said Frank Cubero for compensation under the provisions of said Act of September 7, 1916, as amended, for disability alleged to be due to injuries received by him while employed in the folding room of the House of Representatives, in February 1935: *Provided*, That compensation, if any, shall be paid from and after the date of enactment of this Act, except the reasonable and necessary medical and other expenses resulting from the alleged injury, and heretofore incurred, may be allowed.

Approved, June 10, 1937.

Proviso
No prior compensation, expenses allowed

[CHAPTER 315]

AN ACT

For the relief of Jacob G. Ackerman.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitations of time in sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Jacob G. Ackerman of Scottsville, New York, and the United States Employees' Compensation Commission is authorized to receive and consider his claim, under the remaining provisions of said Act, for injury to his right leg alleged to have been incurred by him during February 1927 while an employee of the United States post office at Rochester, New York: *Provided*, That claim hereunder shall be filed within six months after the approval of this Act: *Provided further*, That no benefits shall accrue prior to the approval of this Act.

Approved, June 10, 1937.

June 10, 1937
[H. R. 6206]
[Private, No. 132]

Jacob G. Ackerman
Provisions of Employees' Compensation Act extended to.

39 Stat. 746
5 U. S. C. §§ 765-770

Provisos
Time limit for filing claim
No prior benefits.

[CHAPTER 318]

AN ACT

For the relief of Lieutenant Joseph N. Wenger, United States Navy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle and adjust the claim of Joseph N. Wenger, lieutenant, United States Navy, as provided in section 12 of the Act of May 18, 1920 (41 Stat. 604; U. S. C., title 10, sec. 756), for \$494.57 in full satisfaction against the United States for the cost of commercial transportation of his wife from Washington, District of Columbia, to Manila, Philippine Islands, pursuant to change-of-station orders dated April 19, 1932, there not being reasonably available Government transportation for his wife between said stations. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, a sum not exceeding \$494.57 for payment of the claim: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 11, 1937.

June 11, 1937
[S. 274]
[Private, No. 133]

Lt Joseph N. Wenger, Navy
Settlement of claim.

41 Stat. 604
10 U. S. C. § 756.

Appropriation.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 319]

AN ACT

For the relief of R. R. Purcell.

June 11, 1937

[S. 522]

[Private, No. 134]

R. R. Purcell.
Payment to

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to R. R. Purcell, of Helena, Montana, the sum of \$86.06 in full satisfaction of his claim against the United States for expenses incurred in traveling from Breckenridge, Minnesota, to Fort Harrison, Montana, and return, pursuant to his appointment, on August 8, 1933, as a member of a special board of review of the Veterans' Administration at Fort Harrison, Montana, such R. R. Purcell being ineligible to serve thereon because of his appointment, prior thereto and unknown to him, as director of the National Reemployment Service in Montana: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 11, 1937.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 320]

AN ACT

Authorizing the return of the commission of John Baptiste Ashe as a major in the Continental Army to Martha B. Rogers, nee Ashe.

June 11, 1937

[S. 1507]

[Private, No. 135]

John Baptiste Ashe
Commission of, to be delivered to Martha B. Rogers, nee Ashe.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General is authorized and directed to deliver to Martha B. Rogers, nee Ashe, great-granddaughter of the late John Baptiste Ashe, formerly a lieutenant colonel in the Continental Army, the commission of the said John Baptiste Ashe as a major in such Continental Army, signed by John Jay, President of the Congress, in 1779, which commission is now a part of the permanent records of the General Accounting Office.

Approved, June 11, 1937.

[CHAPTER 321]

AN ACT

For the relief of Frank Fisher.

June 11, 1937

[S. 1572]

[Private, No. 136]

Frank Fisher
Military record corrected.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Frank Fisher, who was a member of Troop E, Second Regiment United States Cavalry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 19th day of June 1884: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Approved, June 11, 1937.

Proviso
No prior benefits.

[CHAPTER 322]

AN ACT

Granting an annuity to Frank W. Carpenter.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in recognition of the many years of distinguished and conspicuous service of Frank W. Carpenter to the United States in the Philippine Islands, including the negotiation of a treaty in 1915 with the Sultan of Sulu making it possible for the United States to hold the islands throughout the World War without the utilization of its armed forces, at the same time removing a fundamental obstacle to Philippine independence, and in further recognition of the fact that such years of service resulted in his permanent and total disability, the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Frank W. Carpenter, former Governor of the Moro Province and of the Department of Mindanao and Sulu, Philippine Islands, an annuity at the rate of \$1,800 per annum, in monthly installments, the first installment to be due and payable on the 1st day of the month after which this Act is enacted: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 11, 1937.

June 11, 1937
[S. 1699]
[Private, No. 137]

Frank W. Carpen-
ter Annuity payment
granted to

Proviso
Limitation on attor-
ney's, etc., fees

Penalty for viola-
tion.

[CHAPTER 323]

AN ACT

For the relief of James A. Fox.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$328 to James A. Fox, of West Plains, Missouri, in full satisfaction of all his claims against the United States for damages sustained by him as the result of personal injuries received on July 27, 1936, when a dynamite explosion on Works Progress Administration project numbered 976 blew a large segment of stump through the top of the automobile in which he was riding: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 11, 1937.

June 11, 1937
[S. 1753]
[Private, No. 138]

James A. Fox.
Payment to

Proviso
Limitation on attor-
ney's, etc., fees

Penalty for viola-
tion

[CHAPTER 324]

AN ACT

June 11, 1937

[S. 2059]

[Private, No. 139]

To authorize Austin H. Clark and Ellsworth P. Killip, of the United States National Museum, to accept certain decorations respectively from the Danish and French Governments.

Austin H. Clark.
Acceptance of decoration from Denmark authorized

Ellsworth P. Killip.
Acceptance of decoration from France authorized

Delivery by Department of State.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Austin H. Clark, of the United States National Museum, be authorized to accept the Cross of Chevalier of the Order of Dannebrog tendered him by the Danish Government in recognition of his scientific work; and that Ellsworth P. Killip, of the United States National Museum, be authorized to accept the Cross of the Chevalier of the Legion of Honor tendered him by the French Government in recognition of his scientific work, and further that the Department of State be authorized to deliver said decorations respectively to the said Austin H. Clark and Ellsworth P. Killip.

Approved, June 11, 1937.

[CHAPTER 325]

AN ACT

June 11, 1937

[H. R. 1759]

[Private, No. 140]

For the relief of Minnie D. Hines.

Minnie D. Hines.
Payment to

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,000 to Minnie D. Hines, of Saint Joseph, Missouri, in full satisfaction of her claim against the United States for refund of a sum paid by her to the United States by reason of forfeiture of the bail bond in the amount of \$4,000, on September 24, 1929, of one Jack Beaver, who was indicted and failed to appear on charges of violating the National Prohibition Act, and who was later taken into custody and surrendered to the United States District Court for the Western District of Missouri and was convicted and sentenced: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 11, 1937.

[CHAPTER 326]

AN ACT

June 11, 1937

[H. R. 3963]

[Private, No. 141]

For the relief of John Zarnick.

John Zarnick.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Zarnick, of Detroit, Michigan, the sum of \$2,500 in full settlement of all claims against the Government of the United

States on account of the loss of his right arm, resulting from having his said right forearm torn from the elbow on October 7, 1929, while operating an extractor in the laundry and in line of duty while serving as an inmate of the United States Penitentiary Annex at Fort Leavenworth, Kansas: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 11, 1937.

[CHAPTER 328]

AN ACT

For the relief of W. B. Greeley.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to W. B. Greeley, of Seattle, Washington, the sum of \$908.50, in full satisfaction of his claim against the United States for damages for personal injuries sustained by him on February 1, 1935, near the Fourth Avenue Bridge, Olympia, Washington, when he was struck by a Civilian Conservation Corps motor truck driven by Owen E. Cole, an employee of the Civilian Conservation Corps, Camp Matlock, Washington: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

June 11, 1937
[S 556]

[Private, No. 142]

W. B. Greeley.
Payment to.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 11, 1937.

[CHAPTER 329]

AN ACT

For the relief of Jordan Roberts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Jordan Roberts, of Murfreesboro, Arkansas, the sum of \$300 in full satisfaction of his claim for damages arising out of personal injuries sustained by him when the truck upon which he was riding was struck by a Civilian Conservation Corps truck, driven by an enrollee of the Civilian Conservation Corps, on Highway Numbered 26, near Murfreesboro,

June 11, 1937
[S 1471]

[Private, No. 143]

Jordan Roberts.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation

Arkansas, on December 14, 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 11, 1937.

[CHAPTER 330]

AN ACT

For the relief of the estate of Charles White.

June 11, 1937
[S 1479]

[Private, No 144]

Charles White
Payment to estate of

Proviso
Limitation on attorney's, etc., fees

Penalty for violation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, the sum of \$250 to the estate of Charles White, late of Gonzalez, Florida, in full satisfaction of all claims of such estate against the United States for damages for losses resulting from the destruction by members of the Seven Hundred and Fifty-seventh Civilian Conservation Corps Company of approximately one hundred trees growing on property owned by the said Charles White and occupied by such company under a lease dated October 3, 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 11, 1937.

[CHAPTER 331]

AN ACT

For the relief of First Lieutenant R. G. Cuno.

June 11, 1937
[H R 856]

[Private, No 145]

Lt. R. G. Cuno
Payment to

Proviso
Limitation on attorney's, etc., fees

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to First Lieutenant R. G. Cuno, retired, formerly second lieutenant, Air Corps, Langley Field, Virginia, out of any money in the Treasury not otherwise appropriated, the sum of \$851.61, such sum to be in full settlement of all claims against the United States on account of damage to and destruction of personal property of the said Lieutenant R. G. Cuno stored by the quartermaster in the quartermaster warehouse at Langley Field, Virginia, the said damage to and destruction of said property having resulted from the flooding of said warehouse during the storm of August 23, 1933, without fault or negligence on the part of the said Lieutenant R. G. Cuno and while he was a patient, sick in line of duty, at Walter Reed Hospital and unable to protect his interest in said property: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be

unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Penalty for violation.

Approved, June 11, 1937.

[CHAPTER 332]

AN ACT

For the relief of Carter R. Young.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Carter R. Young, of Denver, Colorado, the sum of \$4,500, in full settlement of all claims against the United States for personal injuries sustained by him, by his wife Virginia, and by their minor son William, on August 1, 1936, by reason of a collision of their car with an unlighted United States Army truck left standing on United States Highway Numbered 87 about two and one-half miles southwest of Berthoud, Colorado: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

June 11, 1937
[H. R. 2360]
[Private, No. 146]

Carter R. Young.
Payment to

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation

Approved, June 11, 1937.

[CHAPTER 333]

AN ACT

For the relief of Howard Hefner.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Howard Hefner the sum of \$2,000 in full settlement of all damages sustained by him as the result of permanent personal injuries inflicted upon him when, on May 26, 1935, the car which he, Howard Hefner, was driving on State Highway Numbered 11 was struck by a United States Forestry truck driven by one Grady Helton at a point on said highway about one mile north of Cleveland, Georgia, and near a place known as "Skeet's Place" on a deep curve on said highway, the said Howard Hefner being on his side of the road when the accident occurred: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

June 11, 1937
[H. R. 2673]
[Private, No. 147]

Howard Hefner.
Payment to

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation

Approved, June 11, 1937.

[CHAPTER 334]

AN ACT

For the relief of Colonel J. P. Barney.

June 11, 1937

[H. R. 3841]

[Private, No. 148]

Col. J. P. Barney,
Army
Payment to.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Colonel J. P. Barney, United States Army, the sum of \$3,000 in full settlement of all claims against the United States Government for loss of his personal effects while on duty with the Eighth Field Artillery at Schofield Barracks, Territory of Hawaii, on June 14, 1931: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 11, 1937.

[CHAPTER 339]

AN ACT

For the relief of S. T. Dickinson.

June 14, 1937

[S. 673]

[Private, No. 149]

S. T. Dickinson.
Payment to

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Employees' Compensation Commission is hereby authorized and directed to pay, from the employees' compensation fund, to S. T. Dickinson, of Richmond, Virginia, the sum of \$312.30, said sum to be in full settlement of any and all claims against the Government for medical care, hospitalization, and incidental expenses incurred as a result of injuries received on June 3, 1931, while in the performance of his official duties as an employee of the Naval Supply Depot, Brooklyn, New York: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 14, 1937.

[CHAPTER 340]

AN ACT

For the relief of H. G. Carriere, Charles E. Livingston, and John Latham.

June 14, 1937

[S. 1081]

[Private, No. 150]

H. G. Carriere and
others
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$75 to H. G. Carriere, the sum of \$40 to Charles E. Livingston, and the sum of \$125 to John Latham, all of Camp Crook, South

Dakota, in full satisfaction of their claims against the United States for damages arising out of the loss by each of them of a horse which horses were killed in 1934, while being worked, under contract with the owners, by employees of the Forest Service, United States Department of Agriculture, in connection with emergency conservation work: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso
Limitation on attorney's, etc., fees

Penalty for violation

Approved, June 14, 1937.

[CHAPTER 341]

AN ACT

For the relief of John Kelley.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 17 and 20 of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of John Kelley, father of Ruth Rita Kelley, who died on June 17, 1929, as a result of pulmonary tuberculosis allegedly contracted while a civil employee of the United States in the Public Health Service: *Provided*, That no benefits shall accrue prior to the approval of this Act: *Provided further*, That claim hereunder shall be filed within six months from the approval of this Act.

June 14, 1937
[H. R. 1792]
[Private, No. 151]

John Kelley.
Provisions of Employees' Compensation Act extended to.
39 Stat. 746.
5 U. S. C. §§ 767, 770.

Provisos.
No prior benefits.

Time limitation for filing claim.

Approved, June 14, 1937.

[CHAPTER 342]

AN ACT

For the relief of Mr. and Mrs. Edward J. Pruett.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. Edward J. Pruett the sum of \$5,000 in full settlement of all claims against the Government of the United States for the death of their son, Robert Edward Pruett, who was drowned in a swimming pool at Fort McClellan, Alabama, on September 22, 1931: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

June 14, 1937
[H. R. 3736]
[Private, No. 152]

Mr. and Mrs. Edward J. Pruett.
Payment to

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 14, 1937.

[CHAPTER 343]

AN ACT

For the relief of Naomi Lee Young.

June 14, 1937
[H R 4457]

[Private, No. 153]

Naomi Lee Young
Payment to.*Proviso*
Limitation on attorney's, etc., fees.

Penalty for violation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Naomi Lee Young, a feme sole, of Houston, Texas, the sum of \$2,000 in full settlement of all claims against the United States for personal and permanent injury received by her on January 20, 1936, at Houston, Texas, by reason of a fall at night into an unlighted and unguarded ditch which was dug and left unguarded by the Works Progress Administration authorities: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful and void, any contract or claim to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 14, 1937.

[CHAPTER 344]

AN ACT

For the relief of Margaret Grace and Alice Shriner.

June 14, 1937
[H R. 4508]

[Private, No. 154]

Margaret Grace and
Alice Shriner
Payment to.*Proviso*
Limitation on attorney's, etc., fees

Penalty for violation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay to Margaret Grace and to Alice Shriner, both of Gardena, California, out of any money in the Treasury not otherwise appropriated, the sums of \$3,500 and \$500, respectively. Such sums shall be in full settlement of all claims against the United States on account of injuries sustained by them on or about the 10th day of October 1932 while aboard a boat provided by the Navy Department of the United States plying between Fifth Street Landing at San Pedro, California, and the United States ship Relief, lying in the harbor of San Pedro, at San Pedro, California: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 14, 1937.

[CHAPTER 345]

AN ACT

For the relief of Earl W. Thomas.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Earl W. Thomas, of Minneapolis, Minnesota, the sum of \$1,500 in full satisfaction of his claim against the United States for damages on account of injuries received while in the performance of his duty as an inmate of the United States Industrial Reformatory at Chillicothe,¹ Ohio, on February 6, 1931: *Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.**

Approved, June 15, 1937.

June 15, 1937
[S. 1068]
[Private, No. 156]

Earl W. Thomas
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 346]

AN ACT

For the relief of the estate of Elmer W. Laub, deceased.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the account of Elmer W. Laub, deceased, former postmaster at Belfast, Pennsylvania, with \$96.75, being the total amount retained from postal receipts by G. A. Laub and Roy S. Kostenbader as compensation for their voluntary services in acting as postmaster at that post office from January 29, 1935, to March 31, 1935, and from April 1, 1935, to April 15, 1935, respectively.

Approved, June 15, 1937.

June 15, 1937
[S. 1936]
[Private, No. 156]

Elmer W. Laub (deceased)
Credit in postal accounts.

[CHAPTER 347]

AN ACT

For the relief of Irvin Pendleton.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitations of time in sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., title 5, secs. 767 and 770), are hereby waived in favor of Irvin Pendleton, of Campbellsburg, Kentucky, who is alleged to have sustained an injury while employed in the Government air-nitrate plant at Muscle Shoals, Alabama, in 1918, and his case is authorized to be considered and acted upon under the remaining provisions of such Act, as amended, if he files a notice of such injury and claim for compensation with the United States Employees' Compensation Commission not later than six months from the date of the enactment of this Act: *Provided, That no benefits shall accrue prior to the approval of this Act.**

Approved, June 15, 1937.

June 15, 1937
[H. R. 1013]
[Private, No. 157]

Irvin Pendleton
Provisions of Employees' Compensation Act extended to.

39 Stat. 746
5 U. S. C. §§ 765-770

Time limitation.

Proviso.
No prior benefits.

¹ So in original.

[CHAPTER 354]

AN ACT

June 15, 1937

[S. 430]

[Private, No. 158]

Conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Elmer E. Miller.

Elmer E. Miller.
Claim of, submitted
to Court of Claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and render judgment upon the claim of Elmer E. Miller, former disbursing clerk in the Bureau of Pensions, against the United States for the recovery of any unpaid part of his salary as such clerk, as fixed by law, for the fiscal years ending June 30, 1922, June 30, 1923, and June 30, 1924, respectively.

Commencement of
suit

Proceeding and ap-
peals

SEC. 2. Such claim may be instituted at any time within one year after the enactment of this Act, notwithstanding the lapse of time or any statute of limitations. Proceeding for the determination of such claim, and appeals from, and payment of, any judgment thereon shall be in the same manner as in the case of claims over which such court has jurisdiction under section 145 of the Judicial Code, as amended.

28 U. S. C. § 250.

Approved, June 15, 1937.

[CHAPTER 355]

AN ACT

June 15, 1937

[H. R. 545]

[Private, No. 159]

For the relief of Dean Scott.

Dean Scott
Provisions of Em-
ployees' Compensa-
tion Act extended to.
39 Stat. 746
5 U. S. C. §§ 765-770.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitations of time in sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Dean Scott, of Winchester, Massachusetts, and the United States Employees' Compensation Commission is hereby authorized to receive and consider his claim, under the remaining provisions of said Act, for injury to his right elbow, right side, and his head, alleged to have been sustained while a civilian employee of the United States Army transport Tacony on or about December 19, 1919: *Provided*, That claim hereunder shall be made within six months after the approval of this Act: *Provided further*, That no benefits shall accrue prior to the approval of this Act.

Proviso.
Time limitation.
No prior benefits.

Approved, June 15, 1937.

[CHAPTER 356]

AN ACT

June 15, 1937

[H. R. 1084]

[Private, No. 160]

For the relief of Samuel Cripps.

Samuel Cripps.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Samuel Cripps, of Pomona, Jackson County, Illinois, the sum of \$500 in full satisfaction of his claim against the United States on account of the disfigurement of his face due to having been struck by a Civilian Conservation Corps truck from Camp Pomona on July 28, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said

Proviso
Limitation on attor-
ney's, etc., fees.

claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Penalty for violation.

Approved, June 15, 1937.

[CHAPTER 357]

AN ACT

For the relief of Joshua L. Bach.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Joshua L. Bach, of Alameda, California, civilian employee (telephone plant engineer), United States Army, the sum of \$154.25, out of any money in the Treasury not otherwise appropriated, in full satisfaction of his claim against the United States for damage done to household goods during transportation from station at Baltimore, Maryland, to new station at San Francisco, California, in August and September 1929: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

June 15, 1937
[H. R. 2042]
[Private, No. 161]

Joshua L. Bach
Payment to.

Proviso
Limitation on attorney's, etc., fees

Penalty for violation

Approved, June 15, 1937.

[CHAPTER 358]

AN ACT

For the relief of ¹ Clifford Y. Long.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Clifford Y. Long, of Menomonie, Wisconsin, the sum of \$180. The payment of such sum shall be in full settlement of all claims against the United States on account of the slaughter, prior to their registration as purebreds, of six head of diseased cattle owned by the said Clifford Y. Long. Such sum represents the difference between the amount which the said Clifford Y. Long would have received from the Department of Agriculture had such cattle been registered as purebred animals prior to their appraisal and the amount which he has been paid by such Department: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any

June 15, 1937
[H. R. 3738]
[Private, No. 162]

Clifford Y. Long.
Payment to.

Proviso
Limitation on attorney's, etc., fees.

¹ So in original.

Penalty for violation.

person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 15, 1937.

[CHAPTER 360]

AN ACT

For the relief of Joseph M. Cacace, Charles M. Cacace, and Mary E. Clibourne.

June 16, 1937
[S. 470]
[Private, No. 163]
Joseph M. Cacace
and others
Preamble.

Whereas in the District Court of the United States for the Eastern District of Virginia, on the 20th day of November 1934, John T. Cacace was convicted of an offense and was thereupon admitted to bail in the penalty of \$10,000 pending his motion for a new trial, and executed a recognizance for said sum with Joseph M. Cacace, Charles M. Cacace, and Mary E. Clibourne, his brothers and sister, as sureties; and

Whereas on the 23d of November 1934, said John T. Cacace without the knowledge, consent, or connivance of said sureties, willfully defaulted by leaving the jurisdiction and failed to appear on November 26, the time appointed for the hearing of his motion for a new trial, whereupon he was declared in default and on motion of the United States, by its attorney, a scire facias issued on said date returnable on November 30, on which last-named date the court declined to give the sureties on said bond additional time for the purpose of attempting to produce said convict but forfeited said bond and entered judgment against the stipulators for the sum of \$10,000 and costs; and

Whereas, on December 6, 1934, the said John T. Cacace voluntarily surrendered himself to the marshal of the district and was thereafter sentenced and is now serving his term in a penitentiary designated by the court; and

Whereas the sureties on said recognizance filed their petition in said court, on December 8, 1934, praying that said judgment might be set aside and the forfeiture remitted, which prayer has been refused by the court upon the ground that under the statute in such case made and provided it had no discretion where the default was willful; and

Whereas by the voluntary appearance and the sentencing of said convict the ends of justice have been accomplished without additional expense to the Government so that nothing further is to be gained by the enforcement of said judgment, which enforcement will cause said stipulators to lose their homes by foreclosure under execution: Now, therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the clerk of the United States District Court for the Eastern District of Virginia at Norfolk is hereby authorized and directed to satisfy, of record, the judgment obtained by the United States on November 30, 1934, against Joseph M. Cacace, Charles M. Cacace, and Mary E. Clibourne, who are hereby relieved of all liability to the United States for the payment of said judgment, which was entered against them as sureties on the criminal bail bond executed in behalf of John T. Cacace, the latter having failed to appear after he had willfully departed from the jurisdiction without the knowledge, consent, or connivance of said sureties. Said John T. Cacace subsequently voluntarily appeared on December 6, 1934, without cost to the Government, and was sentenced to imprisonment for conspiracy to violate the National Motor Vehicle Theft Act in accordance with his previous conviction on November 24, 1934.

Approved, June 16, 1937.

Release from liability for payment of court judgment

[CHAPTER 363]

AN ACT

For the relief of Edith Lewis White.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edith Lewis White, of San Francisco, California, the sum of \$1,012.50, being the amount of six months' gratuity pay due her on account of the death of her son, Edwin Dean White, Junior, late a second lieutenant, Air Corps Reserve, United States Army: *Provided*, That Edith Lewis White's dependency upon her son Edwin Dean White shall be established to the satisfaction of the Secretary of War: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 17, 1937.

June 17, 1937
[S. 606]

[Private, No. 164]

Edith Lewis White
Payment to.*Provisions*
Dependency to be
establishedLimitation on attor-
ney's, etc., feesPenalty for viola-
tion.

[CHAPTER 365]

AN ACT

Awarding a Navy Cross to John W. Thomason and Robert Slover.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John W. Thomason, Major, United States Marine Corps, and Robert Slover, gunnery sergeant, United States Marine Corps, be awarded, and each is hereby authorized to receive, a Navy Cross, to be prepared under the direction of the Secretary of the Navy, for extraordinary heroism in the battle of Soissons on July 18, 1918, in destroying a machine-gun nest and capturing two machine guns.

Approved, June 18, 1937.

June 18, 1937
[S. 1112]

[Private, No. 165]

John W. Thomason
and Robert Slover
Navy Cross award-
ed to

[CHAPTER 366]

JOINT RESOLUTION

Granting permission to George E. Ijams, civilian employee of the Veterans' Administration, to accept and wear the decoration bestowed upon him by the Republic of France.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That George E. Ijams, civilian employee of the Veterans' Administration, be authorized to accept and wear the decoration of the Order of the French Legion of Honor (Chevalier), bestowed by the Republic of France, and the State Department is hereby authorized and permitted to deliver the above-mentioned decoration to the said George E. Ijams.

Approved, June 18, 1937.

June 18, 1937
[H. J. Res. 339]

[Priv. Res., No. 2]

George E. Ijams
Acceptance of deco-
ration from France
authorizedDelivery by De-
partment of State.

[CHAPTER 370]

AN ACT

For the relief of the estate of Everett P. Sheridan.

June 19, 1937

[S. 666]

[Private, No. 166]

Everett P. Sheridan (deceased)
Credit in postal accounts

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the final settlement of the accounts of Everett P. Sheridan, deceased, former postmaster at Warren, Massachusetts, credit is hereby authorized in the sum of \$37.74, being the difference between the amount of war-savings funds on deposit to his official credit in the First National Bank of Warren, Massachusetts, when said bank closed in 1923 and the aggregate amount thereafter received by the Government as dividends in the liquidation of the bank's affairs.

Approved, June 19, 1937.

[CHAPTER 371]

AN ACT

For the relief of Eleanora S. Richardson.

June 19, 1937

[H. R. 2080]

[Private, No. 167]

Eleanora S. Richardson
Payment to.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Eleanora S. Richardson, of Sumter, South Carolina, the sum of \$67.50 in full settlement of all claims against the Government of the United States for loss sustained by the said Eleanora S. Richardson in the cashing of War Department allotment check numbered 804988 in favor of J. B. Brown as allottee of Richard Brown, an enrollee of the Civilian Conservation Corps: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 19, 1937.

[CHAPTER 372]

AN ACT

For the relief of Mr. and Mrs. Walter B. Johnson and Joy Johnson, a minor.

June 19, 1937

[H. R. 2223]

[Private, No. 168]

Mr. and Mrs. Walter B. Johnson.
Payment to.

Proviso.
Limitation on attorney's, etc., fees

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, the sum of \$2,000, jointly to Walter B. Johnson and Mrs. Walter B. Johnson, of Knoxville, Tennessee, in full settlement of all claims against the United States for personal injuries to themselves and their minor daughter, Joy Johnson, and medical and hospital expenses incident thereto as a result of a collision of an automobile in which they were riding with a Government Civilian Conservation Corps truck, which truck was being recklessly operated, causing said collision on March 15, 1935, on Highway Numbered 35, near Sevierville, Tennessee: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services

rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 19, 1937.

Penalty for violation.

[CHAPTER 373]

AN ACT

For the relief of William Hayes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$700 to William Hayes in full settlement of all claims against the United States for personal injuries sustained by being struck by an automobile driven by Customs Patrol Inspector Herbert R. Bowen on August 31, 1928, in the city of Niagara Falls, New York: *Provided*, That the Secretary of the Treasury is hereby authorized and directed to transfer to the miscellaneous receipts fund of the Treasury the sum of \$75 appropriated in the First Deficiency Act of March 26, 1930 (46 Stat. 124), for the benefit of William Hayes, as set forth in the schedule of claims contained in House Document Numbered 243, Seventy-first Congress: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 22, 1937.

June 22, 1937
[H. R. 1277]
[Private, No. 169]

William Hayes.
Payment to.

Proviso
Former appropriation covered in.

46 Stat. 124

Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 374]

AN ACT

For the relief of certain officers and employees of the Foreign Service of the United States who, while in the course of their respective duties, suffered losses of personal property by reason of war, catastrophes of nature, and other causes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the following sums of money:

To William H. Hunt, formerly American consul at Pointe à Pitre, Guadeloupe, French West Indies, the sum of \$1,080.50, such sum representing the value of reasonable and necessary personal property lost as a result of the cyclone at Pointe à Pitre, September 12, 1928.

To the estate of the late J. Frank Points, formerly American vice consul and clerk at Nassau, Bahama Islands, the sum of \$312, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Nassau, Bahama Islands, September 16, 1928.

June 22, 1937
[H. R. 2924]
[Private, No. 170]

Foreign Service.
Appropriation authorized for relief of designated officers, etc.

Ante, p. 769.
William H. Hunt.

J. Frank Points,
estate.

- Charles C. Broy. To Charles C. Broy, formerly American consul at Nassau, Bahama Islands, the sum of \$294, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Nassau, September 25 and 26, 1929.
- Mary Jane Porter. To Mary Jane Porter, formerly American consular clerk at Nassau, Bahama Islands, the sums of \$210.50 and \$657.41, respectively, making a total of \$867.91, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricanes at Nassau, Bahama Islands, September 16, 1928, and September 25 and 26, 1929.
- Grace W. Williamson. To Grace W. Williamson, American consular clerk at Nassau, Bahama Islands, the sum of \$264.50, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Nassau, Bahama Islands, on September 25 and 26, 1929.
- Charles B. Curtis. To Charles B. Curtis, formerly American Minister at Santo Domingo, Dominican Republic, the sum of \$1,835.11, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.
- John M. Cabot. To John M. Cabot, formerly secretary of American Legation at Santo Domingo, Dominican Republic, the sum of \$663.88, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.
- Bernard Ramirez. To Bernard Ramirez, clerk in American Legation at Santo Domingo, Dominican Republic, the sum of \$193.50, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.
- Victor E. Medina. To Victor E. Medina, clerk in American Legation at Santo Domingo, Dominican Republic, the sum of \$158, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.
- Reed Paige Clark. To Reed Paige Clark, formerly American consul at Santo Domingo, Dominican Republic, the sum of \$1,720, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.
- Albion W. Johnson. To Albion W. Johnson, American vice consul at Santo Domingo, Dominican Republic, the sum of \$221.25, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.
- Pedro A. Marrero. To Pedro A. Marrero, formerly American consular clerk at Santo Domingo, Dominican Republic, the sum of \$340.50, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.
- Mrs. Aurora Albert Dopico. To Mrs. Aurora Albert Dopico, née Aurora Menendez, American consular clerk at Santo Domingo, Dominican Republic, the sum of \$226, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.
- Angel Rafael Marrero. To Angel Rafael Marrero, American consular clerk at Santo Domingo, Dominican Republic, the sum of \$55, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.
- Emilio Jimenez-Gil. To Emilio Jimenez-Gil, American consular clerk at Santo Domingo, Dominican Republic, the sum of \$93, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.
- Ishmael J. Gauntés. To Ishmael J. Gauntés, American consular messenger at Santo Domingo, Dominican Republic, the sum of \$100, such sum representing a donation in order to enable him to obtain a partial reimburse-

ment of the reasonable value of necessary personal property lost as a result of the hurricane at Santo Domingo, September 3, 1930.

To the estate of the late Robert M. Ott, formerly American vice consul at Belize, British Honduras, the sum of \$115.95, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Belize, September 10, 1931.

To Culver Gidden, American consular clerk at Belize, British Honduras, the sum of \$101.75, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Belize, September 10, 1931.

To Lilian A. Hood, American consular clerk at Belize, British Honduras, the sum of \$200, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Belize, September 10, 1931.

To C. E. Griffith, American consular clerk at Belize, British Honduras, the sum of \$60.95, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Belize, September 10, 1931.

To A. C. Odendahl, formerly American consular clerk at Belize, British Honduras, the sum of \$162, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Belize, September 10, 1931.

To Henry Gardiner, American consular messenger at Belize, British Honduras, the sum of \$60.05, such sum representing the value of reasonable and necessary personal property lost as a result of the hurricane at Belize, September 10, 1931.

To John A. Lehrs, formerly American vice consul at Moscow, Russia, the sum of \$4,016, such sum representing the value of reasonable and necessary personal property lost as a result of the seizure of government power in Russia.

To Henry L. Palmer, formerly American vice consul at Ekaterinburg, Russia, the sum of \$3,352.85, such sum representing the value of reasonable and necessary personal property lost as a result of the seizure of government power in Russia.

To Ernest L. Harris, formerly American consul general at Irkutsk, Siberia, the sum of \$1,899, such sum, in addition to the sum heretofore appropriated, representing the value of reasonable and necessary personal property lost as a result of warlike conditions in Russia in 1918 and 1919.

To Edwin S. Cunningham, American consul general at Shanghai, China, the sum of \$115, such sum representing the value of reasonable and necessary personal property lost as a result of warlike conditions at Shanghai, China, January 28 and 29, 1932.

To Carl O. Spamer, formerly American consul at Shanghai, China, the sum of \$33, such sum representing the value of reasonable and necessary personal property lost as a result of warlike conditions at Shanghai, China, January 28 and 29, 1932.

To Vivian E. Hooper, formerly American consular clerk at Shanghai, China, the sum of \$17.50, such sum representing the value of reasonable and necessary personal property lost as a result of warlike conditions at Shanghai, China, January 28 and 29, 1932.

To Oscar S. Heizer, formerly American consul general and interpreter at Constantinople, Turkey, the sum of \$456, such sum representing the value of reasonable and necessary personal property lost as a result of warlike conditions in Turkey between the years 1915 and 1918.

To Harry D. Myers, formerly American vice consul at Buenaventura, Colombia, the sum of \$182.50, such sum representing the

Robert M. Ott, estate.

Culver Gidden.

Lilian A. Hood.

C. E. Griffith

A. C. Odendahl.

Henry Gardiner.

John A. Lehrs

Henry L. Palmer

Ernest L. Harris

Edwin S. Cunningham.

Carl O. Spamer

Vivian E. Hooper.

Oscar S. Heizer.

Harry D. Myers.

value of reasonable and necessary personal property lost as a result of a fire which destroyed the American consulate at Buenaventura, on January 26, 1931.

Harry A. McBride.

To Harry A. McBride, formerly American consul at Warsaw, Poland, the sum of \$377.25, such sum representing the value of reasonable and necessary personal property lost as a result of breakage and theft in transit from Warsaw to the United States.

Paul Dean Thompson.

To Paul Dean Thompson, formerly American vice consul at Saint Michael, Azores, the sum of \$55.50, such sum representing the value of reasonable and necessary personal property lost as a result of theft in transit about November 2, 1931, incident to his transfer under orders from Plymouth, England, to Saint Michael, Azores.

T Brooks Alford.

To T. Brooks Alford, formerly vice consul at Moscow and other posts in Russia, the sum of \$276.01, such sum representing the value of reasonable and necessary personal property lost as a result of warlike conditions in Russia between the years 1916 and 1918.

Thomas M. Powell.

To Thomas M. Powell, American vice consul at Nogales, Sonora, Mexico, the sum of \$268, such sum representing the value of reasonable and necessary personal property lost as a result of a fire which destroyed the American Consulate at Nogales, on October 10, 1935.

Proviso.
Limitation on attorney's, etc., fees.

Provided, That no part of the amount appropriated in this Act in excess of 10 per centum of any claim thereof as allowed shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with any such claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold or receive any sum of the amount appropriated for any claim in this Act in excess of 10 per centum of such claim as allowed on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000. The aforesaid amounts shall be considered in full settlement of the aforesaid claims.

Penalty for violation.

Payments in full settlement

Deduction of reimbursement by foreign government

Proviso.
Future payment on aforesaid losses

SEC. 2. That if the Secretary of State shall find that any payment on account of any individual loss herein set forth has been made to or on behalf of any of the claimants herein named by any foreign government, the amount of such payment shall be deducted from the amount herein authorized to be paid to such claimant: *Provided*, That any payment which hereafter may be made on account of any of the aforesaid losses, to or on behalf of any of the aforesaid claimants by any foreign government through the Department of State, in an amount not to exceed the amount actually paid to any of the aforesaid claimants shall be paid into the Treasury of the United States.

Approved, June 22, 1937.

[CHAPTER 375]

AN ACT

For the relief of Rosalie Rose.

June 22, 1937
[H. R. 3203]

[Private, No. 171]

Rosalie Rose.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Rosalie Rose, of San Francisco, California, the sum of \$1,454.50 in

full settlement of her claim against the United States for damages sustained on May 29, 1931, when she was injured in a collision with United States Coast Guard truck numbered 1001: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 22, 1937.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 378]

AN ACT

For the relief of the Coast Fir and Cedar Products Company, Incorporated.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Coast Fir and Cedar Products Company, Incorporated, of Portland, Oregon, the sum of \$2,480.34, in full satisfaction of all claims of such company against the United States arising out of a certain contract of sale (numbered 12r-1318) entered into by such company with the Bureau of Reclamation, Department of the Interior, under date of April 18, 1928, for the delivery of certain railroad cross-ties for use in connection with the Owyhee irrigation project in Oregon: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 24, 1937.

June 24, 1937
[H. R. 3557]
[Private, No. 172]

Coast Fir and Cedar Products Company, Inc.
Payment to

Proviso
Limitation on attorney's, etc., fees

Penalty for violation

[CHAPTER 379]

AN ACT

For the relief of A. R. Netterville, Senior.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to A. R. Netterville, Senior, of McComb, Mississippi, out of any money in the Treasury not otherwise appropriated, the sum of \$130 in full satisfaction of his claim against the United States for work done and money paid out for labor in the part construction of a home at the McComb, Mississippi, homesteads project in 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in

June 24, 1937
[H. R. 4575]
[Private, No. 173]

A. R. Netterville, Sr.
Payment to

Proviso
Limitation on attorney's, etc., fees.

Penalty for viola-
tion

connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 24, 1937.

[CHAPTER 380]

AN ACT

June 24, 1937
[H R 5880]
[Private, No 174]

To amend Private Act Numbered 210, approved August 13, 1935, by substituting as payee therein the Clark Dredging Company in lieu of the Bowers Southern Dredging Company.

Clark Dredging
Company
Designated payee in
Act for relief of Bowers
Southern Dredging
Company
49 Stat. 2133

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Private Act Numbered 210, approved August 13, 1935, for the relief of the Bowers Southern Dredging Company, be, and the same is hereby, amended by substituting as payee therein the Clark Dredging Company as transferee or assignee of said Bowers Southern Dredging Company.

Approved, June 24, 1937.

[CHAPTER 388]

AN ACT

June 28, 1937
[S 713]
[Private, No 175]

To provide an appropriation for the payment of claims of persons who suffered property damage, death, or personal injury due to the explosion at the naval ammunition depot, Lake Denmark, New Jersey, July 10, 1926.

Lake Denmark,
N J
Payment of claim
of J Harvey Blanchard
for damages, explosion
at naval ammunition
depot.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of \$59.53 is appropriated, out of any money in the Treasury not otherwise appropriated, to enable the Comptroller General of the United States to make payment of the claim of J. Harvey Blanchard for property damage due to the explosion at the naval ammunition depot, Lake Denmark, New Jersey, July 10, 1926, as recommended by the Acting Comptroller General of the United States and as fully set forth in his letter of January 7, 1937, to the Congress pursuant to the Act of March 2, 1927 (44 Stat. (pt. 3) 1800), and the Act of February 2, 1929 (45 Stat. (pt. 2) 2047) : *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000: *Provided,* That any payment made hereunder shall be accepted in full settlement of this claim against the United States.

Approved, June 28, 1937.

[CHAPTER 389]

AN ACT

June 28, 1937
[H R 2935]
[Private, No 176]

For the relief of Montrose Grimstead.

Montrose Grim-
stead
Payment to

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Montrose Grimstead the sum of \$2,500 in full settlement of all claims

against the United States for injuries sustained when he was struck by a Marine Corps ambulance near Owings Mills, Baltimore County, Maryland, in April 1919: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 28, 1937.

Proviso
Limitation on attorney's, etc., fees

Penalty for violation

[CHAPTER 394]

AN ACT

For the relief of Dorothy White, Mrs Carol M White, and Charles A. White.

June 28, 1937
[H R 2108]
[Private, No 177]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Carol M. White, of Superior, Arizona, the sum of \$1,000; to Dorothy White, of Superior, Arizona, the sum of \$3,000; and to Charles A. White, of Superior, Arizona, the sum of \$500, in full satisfaction of their claims against the United States for damages arising out of personal injuries, suffered when their automobile was struck by an automobile driven by an employee of the Department of Commerce, in Pinal County, Arizona, on January 20, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding ¹ \$1,000.

Mrs. Carol M.
Dorothy, and Charles
A. White
Payment to

Proviso
Limitation on attorney's, etc., fees

Penalty for violation

Approved, June 28, 1937.

[CHAPTER 397]

AN ACT

For the relief of Goldie Durham.

June 28, 1937
[H R 937]
[Private, No 178]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, and in full settlement against the Government, the sum of \$50 to Goldie Durham, of Tyler, Texas, on account of injury sustained in an automobile accident caused by a truck driver employed with the Civilian Conservation Corps on Highway Numbered 69 near Lindale, Texas, August 2, 1936: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Goldie Durham.
Payment to

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 28, 1937.

¹ So in original

[CHAPTER 398]

AN ACT

For the relief of Claude Curteman.

June 28, 1937
[H R 2801]

[Private, No. 179]

Claude Curteman.
Payment to.*Proviso.*
Limitation on attorney's, etc., fees.

Penalty for violation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Claude Curteman, of the city of Ontario, California, the sum of \$2,376 in full settlement of all claims against the Government of the United States for all injuries sustained by him on April 1, 1934, when an automobile in which he was riding was in collision with a United States Government truck being carelessly and negligently operated by a member of the Civilian Conservation Corps: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 28, 1937.

[CHAPTER 399]

AN ACT

For the relief of F. M. Loeffler.

June 28, 1937
[H R 3451]

[Private, No. 180]

F M Loeffler
Payment to.*Proviso.*
Limitation on attorney's, etc., fees

Penalty for violation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to F. M. Loeffler, West Mineral, Kansas, the sum of \$3,838.75, which sum shall be in full satisfaction of all claims against the United States for personal injuries sustained by the said F. M. Loeffler as a result of an accident involving a Civilian Conservation Corps truck, at Camp Messenger, Company Numbered 1711, West Mineral, Kansas, on March 15, 1935: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 28, 1937.

[CHAPTER 400]

AN ACT

For the relief of the estate of Rees Morgan.

June 28, 1937
[H R 3812]

[Private, No. 181]

Rees Morgan.
Payment to estate of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, the sum of \$5,000 to the administrator of the estate of Rees Morgan, late of Tacoma, Washington, in full satisfaction of its claim against

the United States on account of the death of the said Rees Morgan who was struck and killed near Tacoma, Washington, by a Civilian Conservation Corps truck operated by one Fred Krause, enrollee of Company 2941, Civilian Conservation Corps Camp A3, Fort Lewis, Washington: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation

Approved, June 28, 1937.

[CHAPTER 408]

AN ACT

For the relief of Elbert Arnold Jarrell.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Elbert Arnold Jarrell the sum of \$5,000 in full settlement of all claims against the United States for damages suffered by reason of being struck and seriously injured by a Government truck which was driven by an enrollee of the Civilian Conservation Corps, on March 16, 1934, near Friendship, Ohio, which has resulted in his being unable to provide for himself his wife, and his six children: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

June 29, 1937
[H. R. 703]
[Private, No. 182]

Elbert Arnold Jarrell
Payment to.

Proviso.
Limitation on attorney's, etc., fees

Penalty for violation.

Approved, June 29, 1937.

[CHAPTER 409]

AN ACT

For the relief of Otis Cordle, a minor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Otis Cordle, a minor, of Memphis, Tennessee, the sum of \$4,000. The payment of such sum shall be in full settlement of all claims against the United States on account of personal injuries received by said Otis Cordle, when struck, on October 18, 1935, in Memphis, Tennessee, by a United States mail truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

June 29, 1937
[H. R. 988]
[Private, No. 183]

Otis Cordle.
Payment to guardian of.

Proviso
Limitation on attorney's, etc., fees

Penalty for violation.

Approved, June 29, 1937.

[CHAPTER 410]

AN ACT

For the relief of Mrs. Louis Abner.

June 29, 1937
[H. R. 1065]

[Private, No. 184]

Mrs. Louis Abner.
Payment to*Proviso*
Limitation on attorney's, etc., fees

Penalty for violation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, and in full settlement of all claims against the United States Government, the sum of \$500 to Mrs. Louis Abner, of Loogootee, Indiana, for injuries sustained by being struck by a United States Government truck driven or operated by a member of the Civilian Conservation Corps on September 29, 1934: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 29, 1937.

[CHAPTER 411]

AN ACT

For the relief of Sarah L. Smith.

June 29, 1937
[H. R. 1275]

[Private, No. 185]

Sarah L. Smith
Payment to.*Proviso*
Limitation on attorney's, etc., fees

Penalty for violation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,500 to Sarah L. Smith in full settlement of all claims against the United States for personal injuries sustained in a fall in the United States post office at Niagara Falls, New York, on July 18, 1933: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 29, 1937.

[CHAPTER 412]

AN ACT

For the relief of John Knaack.

June 29, 1937
[H. R. 2090]

[Private, No. 186]

John Knaack
Payment to

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to John Knaack, of Chicago Heights, Illinois, the sum of \$2,500, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, and

in full settlement of all claims against the Government of the United States, and reimbursement for medical service, to said John Knaack, who was injured January 9, 1935, when he was run into by a truck working out of Camp DSP-12, Thornton, of the Department of the Interior, National Park Service, State Park Division, Civilian Conservation Corps, on the Glenwood Road, Chicago Heights, Illinois: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, June 29, 1937.

[CHAPTER 413]

AN ACT

For the relief of Leah Levine.

June 29, 1937
[H R 2226]

[Private, No. 187]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, the sum of \$500 to Leah Levine, widow of the late Rabbi Isaac Levine, in full settlement of all claims against the United States for personal injuries sustained by the said Rabbi Levine, deceased, together with medical and hospital expenses incident thereto, as a result of being struck by a truck being recklessly driven by an employee of the United States Government, said injury occurring in Knoxville, Tennessee, on December 18, 1933. This appropriation is made in lieu of Private Act Numbered 192, Seventy-fourth Congress, approved August 7, 1935, for the relief of Rabbi Isaac Levine, who died while said legislation was pending in the Congress: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Leah Levine
Payment to, in settlement of claim of Rabbi Isaac Levine, deceased

49 Stat 2125.

Proviso
Limitation on attorney's, etc., fees

Penalty for violation.

Approved, June 29, 1937.

[CHAPTER 414]

AN ACT

For the relief of R. N. Teague and Minnie Teague.

June 29, 1937
[H R 2630]

[Private, No. 188]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the

R. N. and Minnie Teague.
Payment to

maintenance and operation of the Civilian Conservation Corps, to R. N. Teague, Lambert, Mississippi, the sum of \$1,000, and to Minnie Teague, Lambert, Mississippi, the sum of \$750. The payment of such sums shall be in full settlement of all claims against the United States for damages and injuries sustained by them when the vehicle in which they were riding was struck, on Arkansas State Highway 167, near Sheridan, Arkansas, November 1, 1934, by a vehicle in the service of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 29, 1937.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 415]

AN ACT

For the relief of Reverend Harry J. Hill.

June 29, 1937
[H. R. 2781]

[Private, No. 189]

Rev. Harry J. Hill
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Reverend Harry J. Hill, of Burbank, California, the sum of \$250 in full settlement against the Government for damages sustained in a collision between his automobile and a Government-owned truck driven by a Civilian Conservation Corps employee on June 8, 1934, in Yosemite National Park, California: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 29, 1937.

Proviso.
Limitation on attorney's, etc., fees

Penalty for violation

[CHAPTER 416]

AN ACT

For the relief of the estate of John E. Callaway.

June 29, 1937
[H. R. 3066]

[Private, No. 190]

John E. Callaway.
Payment to estate of

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to the administrator of the estate of John E. Callaway, of Lebanon, Kansas, the sum of \$190, in full settlement of its claim against the United States for the destruction of certain property as a result of fire caused by a Government truck operated in connection with the Civilian Conservation Corps, on July 7, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in con-

Proviso.
Limitation on attorney's, etc., fees.

nection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Penalty for violation.

Approved, June 29, 1937.

[CHAPTER 417]

AN ACT

For the relief of Albert Retellatto, a minor.

June 29, 1937
[H. R. 3575]

[Private, No. 191]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Albert Retellatto, a minor, the sum of \$3,000, in full and final settlement of any and all claims for damages resulting from injuries received by said Albert Retellatto, when he was struck by a United States mail truck numbered 3392 on Bay Twentieth Street, near Benson Avenue in Brooklyn, New York, on November 4, 1929: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Albert Retellatto
Payment to guardian of.

Proviso
Limitation on attorney's, etc., fees

Penalty for violation.

Approved, June 29, 1937.

[CHAPTER 418]

AN ACT

For the relief of Martin J. Blazeovich.

June 29, 1937
[H. R. 3583]

[Private, No. 192]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Martin J. Blazeovich, of San Francisco, California, the sum of \$1,000 in full satisfaction of his claim against the United States for permanent disability suffered when his left hand caught in an unguarded circular saw while performing his duties as a prisoner at the United States (Army) disciplinary barracks, Alcatraz, California, on November 2, 1916, to which he had been sentenced by general court martial while serving as a private, Company A, Thirteenth Infantry: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Martin J. Blazeovich
Payment to.

Proviso
Limitation on attorney's, etc., fees

Penalty for violation.

Approved, June 29, 1937.

[CHAPTER 419]

AN ACT

For the relief of Lucy Jane Ayer.

June 29, 1937
[H. R. 4023]

[Private, No. 193]

Lucy Jane Ayer.
Payment to.*Proviso.*
Limitation on attorney's, etc., fees.

Penalty for violation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Lucy Jane Ayer, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500 in full settlement of all claims against the United States for personal injuries caused as a result of an accident involving an Army vehicle near Dodsonville, Ohio, on September 24, 1933: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 29, 1937.

[CHAPTER 420]

AN ACT

For the relief of Sarah E. Palmer.

June 29, 1937
[H. R. 5146]

[Private, No. 194]

Sarah E. Palmer.
Payment to.*Proviso.*
Limitation on attorney's, etc., fees.

Penalty for violation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Sarah E. Palmer, out of any money in the Treasury not otherwise appropriated, the sum of \$2,000 in full settlement of all claims against the Government for injuries suffered as the result of her car having been struck by an Army truck in Baltimore on October 10, 1932, and for expenses and losses resulting therefrom: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with such claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 29, 1937.

[CHAPTER 421]

AN ACT

Conferring jurisdiction upon the United States District Court for the Eastern District of Arkansas to hear, determine, and render judgment upon the claim of Charles W. Benton.

June 29, 1937
[H. R. 5214]

[Private, No. 195]

Charles W. Benton.
Claim of, submitted to District Court.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the United States District Court for the Eastern District of Arkansas to hear, determine, and render judgment, as

if the United States were suable in tort, upon the claim of Charles W. Benton, of Beebe, Arkansas, for alleged damages resulting from personal injuries sustained by him on December 14, 1936, on account of the alleged explosion of dynamite caps or other explosives stored or left on his farm near Beebe, White County, Arkansas, by employees of the Beebe-Floyd-Romance, Arkansas, Road Project, an undertaking of the Works Progress Administration of the United States.

SEC. 2. Suit upon such claim may be instituted at any time within one year after the enactment of this Act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claim, appeals therefrom, and payment of any judgment thereon shall be in the same manner as in the cases over which such court has jurisdiction under the provisions of paragraph 20 of section 24 of the Judicial Code, as amended: *Provided*, That the judgment, if any, shall not exceed the sum of \$2,500.

Approved, June 29, 1937.

Commencement of suit.

Proceedings

28 U. S. C. § 41 (20).

Proviso
Limitation on judgment

[CHAPTER 422]

AN ACT

For the relief of Harold Scott and Ellis Marks.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Harold Scott, Bay City, Michigan, the sum of \$2,000, and to Ellis Marks, Bay City, Michigan, the sum of \$3,000, in full settlement of all claims against the United States for personal injuries and resulting damages sustained by them when the truck in which they were riding was struck from the rear by an Emergency Conservation Work truck being driven at an excessive rate of speed by an enrollee of the Civilian Conservation Corps, on October 30, 1935, near Frederic, Crawford County, Michigan: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, June 29, 1937.

June 29, 1937
[H. R. 6466]
[Private, No. 190]

Harold Scott and
Ellis Marks
Payment to.

Proviso
Limitation on attorney's, etc., fees

Penalty for violation.

[CHAPTER 437]

AN ACT

For the relief of Angelo and Auro Cattaneo.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of the Act approved October 16, 1918 (40 Stat. 1012), as amended by the Act approved June 5, 1920 (41 Stat. 1008; U. S. C., title 8, sec. 137), the Secretary of Labor is hereby authorized and directed to cancel the order and warrant of deportation heretofore issued under the provisions of that Act against Angelo and Auro Cattaneo.

Approved, July 5, 1937.

July 5, 1937
[H. R. 1731]
[Private, No. 197]

Angelo and Auro
Cattaneo
Deportation order,
etc., canceled
40 Stat. 1012, 41
Stat. 1008
8 U. S. C. § 137.

[CHAPTER 439]

AN ACT

For the relief of James Philip Coyle.

July 6, 1937
[H R 2404]

[Private, No 198]

James Philip Coyle.
Naval record corrected*Proviso.*
No back pay, etc

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged sailors James Philip Coyle, who enlisted in the United States Navy on June 16, 1898, as a fireman, second-class, serving on the United States ship Franklin (service number 122-95-88), shall hereafter be held and considered to have been honorably discharged from the naval service of the United States on September 21, 1922: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Approved, July 6, 1937.

[CHAPTER 440]

AN ACT

For the relief of the Jackson Casket and Manufacturing Company.

July 6, 1937
[H R 5258]

[Private, No 199]

Jackson Casket and
Manufacturing Company
Determination of
capital-stock tax of.49 Stat 1017.
28 U S. C , Supp
II, § 1358a.Sworn statement to
be filed

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding the declaration of adjusted declared value in its capital-stock-tax return for the year ending June 30, 1936, the original declared value of the Jackson Casket and Manufacturing Company, of Jackson, Mississippi, in determining its capital-stock tax under section 105 of the Revenue Act of 1935, as amended, for the year ending June 30, 1937, and subsequent years, shall be a value computed on the basis of \$125 per share of its capital stock.

(b) The provisions of subsection (a) shall apply only if the taxpayer within thirty days after the date of the enactment of this Act files with the collector of internal revenue for its district a statement under oath, recomputing its original declared value in accordance with the provisions of this Act.

Approved, July 6, 1937.

[CHAPTER 446]

AN ACT

For the relief of E. W. Garrison.

July 8, 1937
[H R 563]

[Private, No 200]

E W Garrison.
Payment to*Proviso*
Limitation on attorney's, etc., fees.

Penalty for violation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, the sum of \$157.17 to E. W. Garrison, of Marietta, Georgia, in full settlement of all claims against the United States because of damage to his automobile in a collision with a Government automobile operated in connection with the Civilian Conservation Corps near Coopers Creek, Blue Ridge, Georgia, on August 6, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 8, 1937.

[CHAPTER 447]

AN ACT

For the relief of Clifford R. George and Mabel ¹ D. George.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Clifford R. George and Mabel ¹ D. George, of Chunchula, Alabama, the sums of \$50 and \$1,000, respectively, in full settlement of all claims against the United States Government for personal injuries and property damage sustained by them on July 11, 1936, when the automobile in which they were riding collided with a Government vehicle operated in connection with the Civilian Conservation Corps on United States Highway Numbered 45, near the crossroad at Gulfcrest, Alabama: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 8, 1937.

July 8, 1937
[H. R. 1310]
[Private, No. 201]

Clifford R. and
Mabel D. George.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 448]

AN ACT

For the relief of Paul J. Francis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$500 to Paul J. Francis, of Graymoor, Garrison, New York, in full satisfaction of his claim against the United States for a refund of the value of a Liberty bond deposited to secure the deportation of an alien, Beniamino Ottorino, and forfeited October 3, 1925, for noncompliance with said condition as the alien had departed and failed to notify either the Government or the surety thereof: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 8, 1937.

July 8, 1937
[H. R. 1761]
[Private, No. 202]

Paul J. Francis.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

¹ So in original.

[CHAPTER 449]

AN ACT

For the relief of Lonnie O. Ledford.

July 8, 1937
[H. R. 2482]

[Private, No. 203]

Lonnie O. Ledford.
Payment to.*Proviso*
Limitation on attorney's, etc., fees

Penalty for violation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Lonnie O. Ledford, of Dalton, Georgia, the sum of \$750 in full settlement of all claims against the United States for personal injuries sustained in the collision between automobile in which he was riding and a truck of the Civilian Conservation Corps, near Ranger, North Carolina, on the 18th day of January 1936: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 8, 1937.

[CHAPTER 450]

AN ACT

For the relief of Timothy Joseph McCarthy.

July 8, 1937
[H. R. 3002]

[Private, No. 204]

Timothy Joseph McCarthy
Naval record corrected*Proviso*
No back pay, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Timothy Joseph McCarthy, late of the United States Navy, shall hereafter be held and considered to have been discharged under honorable conditions from the naval service on February 13, 1919: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Approved, July 8, 1937.

[CHAPTER 451]

AN ACT

For the relief of E. P. Lewis.

July 8, 1937
[H. R. 3075]

[Private, No. 205]

E. P. Lewis
Payment to.*Proviso*
Limitation on attorney's, etc., fees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to E. P. Lewis, Anniston, Alabama, the sum of \$2,500. The payment of such sum shall be in full settlement of all claims against the Government of the United States for personal injuries sustained by the said E. P. Lewis and for property damage to his automobile, which was struck, November 16, 1935, while the said E. P. Lewis was operating the said automobile, by a truck in the service of the Civilian Conservation Corps: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding.

Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 8, 1937.

Penalty for violation

[CHAPTER 452]

AN ACT

For the relief of John H. Wykle.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John H. Wykle, of Bryson City, North Carolina, the sum of \$750 in full satisfaction of his claim against the United States for injuries sustained while acting at the request and upon the summons of a United States prohibition officer, on December 11, 1930, in making a raid for the purpose of apprehending persons violating the laws of the United States: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 8, 1937.

July 8, 1937
[H. R. 3262]
[Private, No 206]

John H. Wykle
Payment to

Proviso
Limitation on attorney's, etc., fees

Penalty for violation.

[CHAPTER 453]

AN ACT

For the relief of H. E. Wingard.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the clerk of the United States District Court for the Southern District of Georgia is hereby authorized and directed to satisfy, of record, the judgment obtained by the United States in April 1935 against H. E. Wingard, of Augusta, Georgia, who is hereby relieved of all liability to the United States for the payment of said judgment, which was entered against him as surety on the recognizance bond of Stoy Lamar, who failed to appear for trial on a charge of violation of the Harrison Narcotic Act, but who was subsequently apprehended through the efforts and at the expense of said H. E. Wingard in December 1935.

Approved, July 8, 1937.

July 8, 1937
[H. R. 3809]
[Private, No 207]

H. E. Wingard
Release of court judgment.

[CHAPTER 454]

AN ACT

For the relief of John L. Summers, former disbursing clerk, Treasury Department; and Frank White, G. F. Allen, H. T. Tate, and W. O. Woods, former Treasurers of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of John L. Summers, former disbursing clerk, Treasury Department, with sums not exceeding

July 8, 1937
[H. R. 4679]
[Private, No. 208]

John L. Summers.
Credit in accounts.

\$5,241.47 in the aggregate, covering disallowances in his accounts as a result of payments made by him during the period from August 1923 to December 1933.

Frank White, and
other former Treas-
urers of the United
States
Credit in accounts.

Provided
Application of any
recoveries.

SEC. 2. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of former Treasurers of the United States with sums not exceeding the following amounts, representing unavailable items in their accounts: Frank White, \$57,507.72; G. F. Allen, \$643; H. T. Tate, \$14,664.94; and W. O. Woods, \$107,833.29: *Provided*, That any recoveries heretofore or hereafter made in respect of any of the foregoing items may, in the discretion of the Comptroller General, be applied to offset unavailable items of a similar character hereafter arising in the accounts of the former Treasurer to whose account the recovery pertains, upon a showing that such unavailable items have occurred without fault or negligence on the part of said former Treasurer.

Approved, July 8, 1937.

[CHAPTER 455]

AN ACT

For the relief of Richard T. Edwards.

July 8, 1937
[H. R. 5438]
[Private, No. 209]

Richard T. Ed-
wards
Payment to

PROPOS.
Release of account-
ability.
Limitation on attor-
ney's, etc., fees.

Penalty for viola-
tion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Richard T. Edwards, major, Quartermaster Corps, United States Army, \$1,602.96, or so much of such sum as shall have been collected from him prior to the passage of this Act, in full satisfaction of his claim against the United States for a stoppage in his pay on account of shortage of public property at the Army Medical Center, Washington, District of Columbia, during the period April 1927 to April 1928, while Major Edwards was acting as quartermaster property officer: *Provided*, That no part of this shortage shall be later charged to Major Richard T. Edwards, United States Army: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 8, 1937.

[CHAPTER 456]

AN ACT

For the relief of Frank A. Smith.

July 8, 1937
[H. R. 5652]
[Private, No. 210]

Frank A. Smith
Provisions of Em-
ployees' Compensation
Act extended to
39 Stat. 746.
5 U. S. C. §§ 765-770.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitations of time in sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Frank A. Smith, of San Diego, California, and the Employees' Compensation Commission is hereby authorized and directed to receive and consider his claim, if filed

within six months from the date of approval of this Act, for rupture alleged to have been sustained on or about November 15, 1922, while employed as a construction foreman in the Army Air Service at large, Rockwell Field, Coronado, California: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Approved, July 8, 1937.

Proviso.
No prior benefits.

[CHAPTER 457]

AN ACT

For the relief of certain former disbursing officers of the Veterans' Administration and of the Bureau of War Risk Insurance, Federal Board for Vocational Education, and the United States Veterans' Bureau (now Veterans' Administration).

July 8, 1937
[H. R. 6230]
[Private, No 211]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed in the settlement of accounts of the following-named former disbursing officers of the Veterans' Administration and of the Bureau of War Risk Insurance, Federal Board for Vocational Education, and the United States Veterans' Bureau (now Veterans' Administration), to allow credit in the sums herein stated now standing as disallowances in said accounts on the books of the General Accounting Office: *Provided*, That this Act shall not be interpreted to waive collections by the United States Government of loans on adjusted-service certificates and interest thereon:

Veterans' Administration, etc
Credits allowed in accounts of certain former disbursing officers

Proviso
Collections of loans on adjusted-service certificates, etc., not waived.

First. Miles E. Bailey, former disbursing officer, Bureau of War Risk Insurance (now Veterans' Administration), Washington, District of Columbia, in the sums of \$61.75 and \$2,733.50, which amounts he expended during the period from December 1917 to January 1919 (symbols 11003 and 11234).

Miles E. Bailey.

Second. Chester C. Vargas, former disbursing officer, Bureau of War Risk Insurance (now Veterans' Administration), Washington, District of Columbia, in the sums of \$63.05 and \$330.70, which amounts he expended during the period from February 1919 to August 1919 (symbols 11005 and 11555).

Chester C. Vargas.

Third. Richard W. Lamb, former distributing officer, United States Veterans' Bureau (now Veterans' Administration), Atlanta, Georgia, in the sum of \$16.32 which amount he expended during the period from February 1923 to January 1925 (symbol 11255).

Richard W. Lamb.

Fourth. J. B. Schommer, former disbursing officer, Veterans' Administration, Washington, District of Columbia, in the sums of \$57.64, \$58.45, \$3,472.69, and \$250.48, which amounts he expended during the periods from May 1, 1931, to August 31, 1931; July 1, 1932, to October 31, 1933; January 1, 1932, to October 31, 1933; and July 1, 1933, to April 30, 1934 (symbols 99220, 11500, 11501, and 11666).

J. B. Schommer.

Fifth. C. A. Wood, former disbursing officer at Veterans' Administration Regional Office, Atlanta, Georgia, in the sum of \$88.50 (symbol 99102), which amount he expended during the period from September 1, 1932, to September 30, 1932.

C. A. Wood.

Sixth. W. A. Birmingham, former disbursing officer at Veterans' Administration Regional Office, Buffalo, New York, in the sum of \$303.43 (symbol 99107), which amount he expended during the period from April 1, 1931, to April 30, 1931.

W. A. Birmingham.

Seventh. Nina B. Harrison, former disbursing officer at Veterans' Administration Facility, Los Angeles, California, in the sum of \$403 (symbol 99129), which amount she expended during the period from June 1, 1933, to June 30, 1933.

Nina B. Harrison.

William H. Holmes.
Payment to.

SEC. 2. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William H. Holmes, former disbursing officer, United States Veterans' Bureau (now Veterans' Administration), District of Columbia, the sum of \$222.10 of which amount \$172.10 was paid by him on September 22, 1932, and \$50 in November 1932 by personal checks delivered to the Department of Justice (symbol 11006).

Ursula H. Miller.
Payment to.

SEC. 3. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ursula H. Miller, former disbursing officer, United States Veterans' Bureau (now Veterans' Administration), Pittsburgh, Pennsylvania, the sum of \$72.50 which amount was deducted from her salary as a Federal employee because of the disallowance by the General Accounting Office of that amount expended by her in June 1925 (symbol 11410).

Harry M. Moeller.
Payment to.

SEC. 4. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry M. Moeller, former disbursing officer, United States Veterans' Bureau (now Veterans' Administration), Cleveland, Ohio, the sum of \$149.68, which amount was deducted from his salary as a Federal employee because of the disallowance by the General Accounting Office of that amount expended by him in May 1925 (symbol 11398).

Henry F. Dolan.
Payment to.

SEC. 5. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Henry F. Dolan, former disbursing officer, Federal Board for Vocational Education (now Veterans' Administration), Washington, District of Columbia, the sum of \$45.38, which amount was deducted from his salary as a Federal employee because of the disallowance by the General Accounting Office of that amount expended by him during the period from April 1919 to December 1920 (symbol 92065).

Peter J. Carney.
Payment to

SEC. 6. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Peter J. Carney, former disbursing officer, United States Veterans' Bureau (now Veterans' Administration), Philadelphia, Pennsylvania, the sum of \$72.50, which amount he refunded to the United States because of the disallowance by the General Accounting Office of that amount expended by him in September 1923 (symbol 11253).

Robert L. Putman.
Payment to.

SEC. 7. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert L. Putman, former disbursing officer, United States Veterans' Bureau (now Veterans' Administration), Cincinnati, Ohio, the sum of \$7.35, which amount was deducted from his salary as a Federal employee because of the disallowance by the General Accounting Office of that amount expended by him in February 1924 (11309).

Limitation on attorney's, etc., fees.

SEC. 8. No part of the amounts appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Penalty for violation.

Approved, July 8, 1937.

[CHAPTER 458]

AN ACT

For the relief of Dorothy McCourt.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Dorothy McCourt, of Los Angeles, California, the sum of \$1,371. Such sum shall be in full settlement of all claims against the United States for damages sustained by the said Dorothy McCourt on account of injuries suffered by herself on May 4, 1934, on Pine Canyon Road, in the county of Los Angeles, State of California, in a collision involving the car in which she was a passenger and a Government vehicle in the service of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 8, 1937.

July 8, 1937
[H. R. 607]
[Private, No. 212]

Dorothy McCourt.
Payment to.

Proviso.
Limitation on attorney's, etc., fees

Penalty for violation

[CHAPTER 459]

AN ACT

For the relief of John Brennan.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to John Brennan, of Foster, Oregon, the sum of \$500 in full satisfaction of his claim against the United States for damages for personal injuries suffered on January 12, 1936, on the Quartzville-Foster Road in Linn County, Oregon, when run down by a motortruck owned by the United States Forest Service bearing license numbered DA-8089 and driven by Edwin D. Bacon, of Company 2907-CCC, Cascadia, Oregon: *Provided*, that no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 8, 1937.

July 8, 1937
[H. R. 1235]
[Private, No. 213]

John Brennan.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 460]

AN ACT

For the relief of Raymond E. Payne and Anna R. Payne.

July 8, 1937
[H. R. 2934]

[Private, No 214]

Raymond E. and
Anna R. Payne.
Payment to.

Proviso
Limitation on attor-
ney's, etc., fees.

Penalty for viola-
tion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, jointly, to Raymond E. Payne and Anna R. Payne, his wife, both of Baltimore, Maryland, the sum of \$500 in full settlement of all claims against L. L. Childs, a former prohibition agent for the Treasury Department of the Government of the United States and all claims against the Government of the United States on account of a judgment secured against the said L. L. Childs in the District Court of the United States for the District of Maryland, because of damages resulting to the said Raymond E. Payne and Anna R. Payne, his wife, on account of the unwarranted entry of the said L. L. Childs, and others, as agents of the Government of the United States into their home, on September 2, 1924, and the destruction of property occasioned by them, in their search for alleged intoxicants in the home of the said Raymond E. Payne and Anna R. Payne, his wife: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 8, 1937.

[CHAPTER 461]

AN ACT

For the relief of Mr. and Mrs. J. C. Porter.

July 8, 1937
[H. R. 2983]

[Private, No. 215]

Mr. and Mrs. J. C.
Porter
Payment to

Proviso
Limitation on attor-
ney's, etc., fees.

Penalty for viola-
tion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, jointly to Mr. and Mrs. J. C. Porter, of Beaver, Oregon, the sum of \$315 in full satisfaction of their claim against the United States for damages and personal injuries suffered on January 22, 1936, at Beaver, Oregon, when the automobile in which said Mr. and Mrs. J. C. Porter were riding was struck by motor truck USDI 6276 owned by the United States and driven by an employee of Camp SP-9, Oregon: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 8, 1937.

[CHAPTER 462]

AN ACT

For the relief of Laura E. Alexander.

July 8, 1937
[H. R. 3256]
[Private, No. 216]

Laura E. Alexander.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Laura E. Alexander, of Asheville, North Carolina, the sum of \$5,000, in full settlement of all claims against the United States for personal injuries, expenses incident thereto, and the subsequent death of her husband, Samuel H. Alexander, who was shot and permanently disabled February 8, 1901, while acting as assistant postmaster at Emma, North Carolina, in defending the post office against attempted robbery by armed bandits, and who died January 5, 1920, as a result of said disability: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, July 8, 1937.

[CHAPTER 463]

AN ACT

For the relief of the Northwestern Ohio Mutual Rodded Fire Insurance Company.

July 8, 1937
[H. R. 3566]
[Private, No. 217]

Northwestern Ohio
Mutual Rodded Fire
Insurance Company.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Northwestern Ohio Mutual Rodded Fire Insurance Company the sum of \$559.69. Such sum shall be in full satisfaction of its claim against the United States for the amount due such company on certain postal money orders presented for payment at the post office at West Unity, Ohio, in January and February 1934. The representative of such company surrendered such postal money orders in exchange for receipts from the postmaster in lieu of payment because of alleged lack of cash on hand to make payment at such time: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, July 8, 1937.

[CHAPTER 464]

AN ACT

For the relief of C. O. Eastman.

July 8, 1937

[H. R. 4623]

[Private, No. 218]

C. O. Eastman.
Credit in postal
accounts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to credit the money-order account of C. O. Eastman, former postmaster at Wauseon, Ohio, with \$4,272.07, or so much thereof as is necessary, to relieve him for the alleged loss of paid money orders in a fire in the post office at Wauseon, Ohio, on June 11, 1934, disallowed in the audit of his accounts due to his failure to record the particulars of the said money orders.

Approved, July 8, 1937.

[CHAPTER 465]

AN ACT

For the relief of A. L. Mallery.

July 8, 1937

[H. R. 4942]

[Private, No. 219]

A. L. Mallery.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alfred L. Mallery, former postmaster at Lakeville, Minnesota, the sum of \$364.73 in full satisfaction of his claim against the United States for the amount of postal and money-order funds and postage stamps lost by burglary of that post office on January 6, 1933, and paid by the said former postmaster to the United States: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 8, 1937.

[CHAPTER 466]

AN ACT

For the relief of Charles B. Murphy.

July 8, 1937

[H. R. 5337]

[Private, No. 220]

Charles B. Murphy.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles B. Murphy, of Elmira, New York, the sum of \$27 in full satisfaction of his claim against the United States for the cost of repairing a plate glass window at 314 State Street, Elmira, New York, which was broken on May 6, 1935, when a United States mail truck hurled a stone against it: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum

thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 8, 1937.

Penalty for violation.

[CHAPTER 467]

JOINT RESOLUTION

Authorizing certain retired officers or employees of the United States to accept such decorations, orders, medals, or presents as have been tendered them by foreign Governments.

July 8, 1937
[H. J. Res. 349]
[Priv. Res., No. 3]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-named retired officers or employees of the United States are hereby authorized to accept such decorations, orders, medals, or presents as have been tendered them by foreign Governments:

Decorations tendered by foreign governments.
Designated officers and employees may accept

Department of State: Edwin Cunningham, Carl F. Deichman, Stillman W. Eells, P. S. Heintzlemen, David B. Macgowan, Robert P. Skinner, and Merritt Swift.

Department of State

Department of War: Preston Brown, William H. Brown, Marion L. Elliott, Milton A. Elliott, Richard T. Ellis, LaVergne L. Gregg, Francis J. Heraty, Jefferson Kean, James F. McKinley, Alexander J. McNab, Junior, A. Kenny C. Palmer, Frederick D. Sharp, and Louis J. Van Schaick.

Department of War.

Department of the Navy: William H. Standley and Rufus F. Zogbaum.

Department of the Navy.

Department of Agriculture: James H. Kimball and Charles F. Marvin.

Department of Agriculture.

Department of Commerce: George R. Putnam.

Department of Commerce.

Approved, July 8, 1937.

[CHAPTER 475]

AN ACT

For the relief of Frank S. Walker.

July 9, 1937
[H. R. 1406]
[Private, No. 221]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank S. Walker, of Orange, Virginia, the sum of \$200. The payment of such sum shall be in full settlement of all claims against the United States on account of the slaughter of four registered Holstein diseased cows owned by the said Frank S. Walker, the said cows having been slaughtered under the direction of the Bureau of Animal Industry of the Department of Agriculture in its mastitis elimination project but not in strict accordance with the regulations covering same: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Frank S. Walker.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, July 9, 1937.

[CHAPTER 476]

AN ACT

For the relief of Dominga Pardo.

July 9, 1937

[H. R. 1689]

[Private, No. 222]

Dominga Pardo.
Payment to.*Proviso.*
Limitation on attorney's, etc., fees.

Penalty for violation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,500 to Dominga Pardo, of New York City, in full satisfaction of her claim against the United States for injuries sustained as a result of being struck by a United States mail truck of the Post Office Department, New York, New York, on October 1, 1935: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 9, 1937.

[CHAPTER 477]

AN ACT

For the relief of Allie Rankin.

July 9, 1937

[H. R. 3339]

[Private, No. 223]

Allie Rankin.
Payment to.*Proviso.*
Limitation on attorney's, etc., fees.

Penalty for violation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to Allie Rankin, of route numbered 2, Wheelersburg, Ohio, in full satisfaction of her claim against the United States for personal injuries and disease contracted by her when she fell through the floor of a sanitary unit, on January 3, 1936, which unit had been negligently constructed in Scioto County, Ohio, by employees of the Works Progress Administration: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 9, 1937.

[CHAPTER 478]

AN ACT

For the relief of W. R. Fuchs.

July 9, 1937

[H. R. 4682]

[Private, No. 224]

W. R. Fuchs.
Credit in accounts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to credit the accounts of W. R. Fuchs, former disbursing clerk,

Department of Agriculture, with any amount which he has disallowed, or may disallow, arising from erroneous payments of salary at \$1,620 per annum, to Kathryn M. Tobin, former employee of the Agricultural Adjustment Administration, for the period from August 4, 1933, to November 8, 1933, both inclusive.

Approved, July 9, 1937.

[CHAPTER 479]

AN ACT

For the relief of Mr. and Mrs. Frank Muzio.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,500, jointly to Mr. and Mrs. Frank Muzio, of Brooklyn, New York, in full satisfaction of their claim against the United States for the death of their minor son, Benjamin, who died from injuries sustained when struck by a United States mail truck at Brooklyn, New York, on February 5, 1925: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 9, 1937.

July 9, 1937
[H. R. 5102]
[Private, No. 225]

Mr. and Mrs. Frank
Muzio.
Payment to.

Proviso.
Limitation on attorney's, etc., fees

Penalty for violation

[CHAPTER 480]

AN ACT

For the relief of Willard Webster.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Willard Webster, of Beaver Falls, Pennsylvania, the sum of \$2,500 in full settlement of all claims against the Government of the United States for personal injuries suffered by him as a result of being struck by a Post Office Department truck operated by an employee of the Government, in Beaver Falls, Pennsylvania, November 8, 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 9, 1937.

July 9, 1937
[H. R. 5496]
[Private, No. 226]

Willard Webster.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 489]

AN ACT

For the relief of Adele Fowlkes.

July 10, 1937
[H. R. 3967]

[Private, No. 227]

Adele Fowlkes.
Payment to.*Proviso.*
Limitation on attorney's, etc., fees.

Penalty for violation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary to the Terasury¹ be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Adele Fowlkes, the sum of \$2,984.75, in full settlement of her claim against the United States for personal injuries incurred July 1, 1933, when a bridge gave way over Chasm Falls at Estes Park, Rocky Mountain National Park, Colorado: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 10, 1937.

[CHAPTER 490]

AN ACT

For the relief of W. D. Davis.

July 12, 1937
[H. R. 1851]

[Private, No. 228]

W. D. Davis
Suit for damages in district court, authorized

Jurisdiction of court

Procedure, evidence, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That W. D. Davis, of Fort Worth, Texas, as successor to the firm of W. D. and M. L. Davis, statutes of limitations being waived, is authorized to enter suit in the United States District Court for the Northern District of Texas for the amount alleged to be due from the United States on account of loss sustained by the firm arising out of action of inspectors of the Bureau of Animal Industry of the United States Department of Agriculture during 1917 and 1918 in driving cattle infested with Texas fever ticks, or having such cattle driven under their direction or supervision, over the land of the firm, or using the firm's dipping vats for dipping such tick-infested cattle. For the purposes of such suit said W. D. Davis shall have all the rights of the firm.

SEC. 2. Jurisdiction is hereby conferred upon said United States District Court for the Northern District of Texas to hear and determine such claim without the intervention of a jury. The action in said court may be presented by a petition making the United States party defendant and shall set forth all the facts upon which the claimant bases his claim, and the petition may be verified by the agent or attorney of said claimant; official letters, reports, and public records, or certified copies thereof, may be used as evidence; and said court shall have jurisdiction to hear and determine said suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found due from the United States to said claimant by reason of the alleged action, upon the same principles and under the same measure of liability as in like cases between private parties, and the Government hereby waives its immunity from suit. And said claimant and the United States of America shall have all rights of appeal or writ of error or other remedy as in similar cases between private persons or corporations: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of said court, and

Provisos
Notice, etc., to Attorney General.¹ So in original.

upon such notice it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That such suit shall be begun within six months of the date of the approval of this Act.

Commencement of suit.

Approved, July 12, 1937.

[CHAPTER 491]

AN ACT

For the relief of certain employees of the Division of Investigation, Department of the Interior, and certain disbursing officers of the Department of the Interior.

July 12, 1937

[H. R. 2774]

[Private, No. 229]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to allow payment or credit, as the case may be, and upon approval thereof by the Secretary of the Interior, in connection with the following claims or paid vouchers for traveling expenses on change of station or for mileage of personally owned automobiles in the same manner and to the same extent as though the required authorization had been issued prior to the date the expense was incurred:

Division of Investigation, etc., Interior Department.

Credits or payments for traveling expenses, etc., of persons designated.

(1) To allow payment to the following-named persons in the amounts stated, from appropriations chargeable therefor: John L. Buckey, \$5.15; Agnes L. Burke, \$17.82; Celia E. Davis, \$5.15; Cecil J. Dowd, \$28.33; Dan W. Herring, \$5.15; John W. Jackson, \$141.37; Alexander F. Kelly, \$75.40; William H. Selvey, \$45.06; Maurice P. Shaner, \$47.90; Owen B. Sherwood, \$47.96; and Miller L. West, \$114.40;

Payments.

(2) To allow credit in the account of Frank A. Lewis, special disbursing agent, accounts for September and October, 1933, as follows: Voucher 2794 (James W. Smith), \$63.25; voucher 2795 (C. L. Anderson), \$8.65; voucher 2981 (Joseph L. Quinn), \$57.95; voucher 2983 (Avery H. Alcorn), \$131.40; voucher 3011 (J. M. Flanagan, Junior), \$141.85; voucher 3013 (Howard E. Tyson), \$113.70; voucher 3014 (Kent B. Knox), \$165.15; voucher 3015 (W. H. Pontius), \$114.60; voucher 3016 (Tilden E. Guillory), \$28.05; voucher 3018 (F. H. Martin), \$112.70; voucher 3024 (A. P. Thornton), \$64.85; voucher 3025 (R. L. Knight), \$109.65; voucher 3036 (Joe DeuPree), \$49.80; voucher 3047 (Walter S. Behrens), \$82.40; voucher 3041 (J. N. English), \$103.35; voucher 3042 (M. C. Parrish, Junior), \$92.45; voucher 3043 (G. H. Flagg), \$110.30; voucher 3044 (J. G. Floyd), \$75.70; voucher 3045 (Wilson Keyes), \$137.55; voucher 3069 (Halvor P. McGrath), \$21; voucher 3070 (Joe C. Hemphill), \$33.30; voucher 3077 (Glenn O. Briscoe), \$35.10; voucher 3081 (J. H. Lawrence), \$84.45; and voucher 3378 (J. H. Lawrence), \$14.05;

Credits in accounts.

(3) To allow credit in the account of G. F. Allen, chief disbursing officer, account for November 1934, as follows: Voucher 459021 (W. A. Whittlesey), \$58.80;

G. F. Allen.

(4) No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, July 12, 1937.

[CHAPTER 492]

AN ACT

July 13, 1937
[S. 2497]

[Private, No. 230]

John Monroe Johnson.
Acceptance of decoration, authorized

Authorizing John Monroe Johnson, Assistant Secretary of Commerce, to accept the decoration tendered him by the Belgian Government.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John Monroe Johnson, Assistant Secretary of Commerce, is authorized to accept the decoration which has been tendered him by the Belgian Government.

Approved, July 13, 1937.

[CHAPTER 493]

AN ACT

July 13, 1937
[S. 557]

[Private, No. 231]

James Lincoln Hartley.
Entry for permanent residence legalized

Authorizing the naturalization of James Lincoln Hartley, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the immigration laws James Lincoln Hartley, a native-born citizen of the United States who involuntarily lost his citizenship at the age of seven years by reason of the naturalization of his father as a citizen of Canada, shall be held and considered to have been legally admitted to the United States for permanent residence.

Naturalization authorized.

SEC. 2. Notwithstanding any other provision of law, said James Lincoln Hartley may be naturalized as a citizen of the United States by filing a declaration of intention and taking the oath of allegiance in the manner prescribed in the naturalization laws before any court having jurisdiction of the naturalization of aliens.

Approved, July 13, 1937.

[CHAPTER 495]

AN ACT

July 13, 1937
[S. 727]

[Private, No. 232]

Lillian J. Glinn.
Homestead entry validated

Validating homestead entry Billings 029004 of Lillian J. Glinn.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the stock-raising homestead entry, Billings 029004, made by Lillian J. Glinn on June 28, 1927, as amended, for all of section 32, township 7 south, range 54 east, Montana principal meridian, is hereby validated, and the Secretary of the Interior is hereby authorized to accept the final proof submitted by the entrywoman, now Lillian J. Castleberry, in support of said homestead entry on December 20, 1934, and to issue patent for the entry in regular course.

Approved, July 13, 1937.

[CHAPTER 496]

AN ACT

July 13, 1937
[S. 767]

[Private, No. 233]

Charles T. Miller Hospital, etc.
Payment to.

For the relief of the Charles T. Miller Hospital, Incorporated, at Saint Paul, Minnesota; Doctor Edgar T. Herrmann; Ruth Kehoe, nurse; and Catherine Foley, nurse.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized and directed to pay out of the naval hospital fund to the Charles T. Miller Hospital, Incorporated, at Saint Paul, Minnesota, the sum of \$135.45; to Doctor Edgar T. Herrmann, the sum of \$117; to Ruth Kehoe, nurse, the sum of \$9; and to Catherine Foley, nurse, the sum of \$4; in all, \$265.45, in full settlement of all claims against the Government of the United States for services and professional treatment rendered

Leonard James Graves, storekeeper, second-class, (F-1) United States Naval Reserve, while ill with diabetic acidosis during the period from August 17, 1935, to September 7, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso.
Limitation on attorney's, etc., fees

Penalty for violation.

Approved, July 13, 1937.

[CHAPTER 497]

AN ACT

To provide for the advancement on the retired list of the Navy of Clyde J. Nesser, a lieutenant (junior grade), United States Navy, retired.

July 13, 1937

[S. 1474]

[Private, No. 234]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the date of enactment of this Act, Clyde J. Nesser, lieutenant (junior grade), United States Navy, retired, shall have the rank of a lieutenant on the retired list of the United States Navy.

Clyde J. Nesser
Advancement to lieutenant, Navy, retired.

Approved, July 13, 1937.

[CHAPTER 498]

AN ACT

For the relief of George E. Shockley.

July 14, 1937

[S. 171]

[Private, No. 235]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George E. Shockley, of Rehoboth, Delaware, the sum of \$323, in full settlement of all claims against the Government for losses occasioned by the cancelation of a contract entered into between the said George E. Shockley and the United States Coast Guard Service for repairs and additions to the lifeboat house and launchway at Lewes (Delaware) Coast Guard Station: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

George E. Shockley.
Payment to

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, July 14, 1937.

[CHAPTER 499]

AN ACT

For the relief of Mildred Moore.

July 15, 1937

[S. 114]

[Private, No. 236]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to

Mildred Moore.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation

Mildred Moore, of Chicago, Illinois, the sum of \$1,250 in full satisfaction of her claim against the United States for compensation for bodily injuries suffered by her when the automobile in which she was riding was struck by a United States Army automobile driven by R. H. Pearson at the intersection of Fifty-seventh Street and Drexel Avenue in Chicago, Illinois, on February 2, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 15, 1937.

[CHAPTER 501]

AN ACT

For the relief of Ellen Taylor.

July 16, 1937

[S 826]

[Private, No 237]

Ellen Taylor
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ellen Taylor, of Richmond, Virginia, the sum of \$2,626 in full and final settlement of any and all claims against the United States for injuries sustained when the automobile in which she was a passenger was struck by a National Capital Parks truck at the intersection of Twentieth and Otis Streets Northeast, Washington, District of Columbia, on September 15, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 16, 1937.

[CHAPTER 502]

AN ACT

For the relief of Alexander E. Kovner.

July 16, 1937

[S 1048]

[Private, No. 238]

Alexander E. Kovner
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alexander E. Kovner, of San Francisco, California, the sum of \$5,000, in full settlement of all claims against the United States for cost of hospital and medical care, pain and suffering, and permanent disability, resulting from the said Alexander E. Kovner being struck

by a truck belonging to the Third Brigade of the United States Marines, in the city of Tientsin, China, on May 14, 1928, such accident being due to the negligence of the driver of the said truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, July 16, 1937.

[CHAPTER 503]

AN ACT

For the relief of J. E. Sammons.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. E. Sammons, of Macon, Georgia, the sum of \$161.98 in full satisfaction of his claim against the United States for the value of thirty-five and ninety-nine one-hundredths acres of land in Putnam County, Georgia, at \$450 per acre, which he conveyed by deed to the Government, represented by the Resettlement Administration, and for which he was not paid because of an erroneous survey of the tract by the General Land Office in February 1935, describing it as two hundred and thirty and seventy-two one-hundredths acres, whereas it in fact contained two hundred and sixty-six and seventy-two one-hundredths acres by subsequent survey of June 14, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

July 16, 1937
[S. 1188]
[Private, No. 239]

J. E. Sammons.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, July 16, 1937.

[CHAPTER 504]

AN ACT

For the relief of Halle D. McCullough.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of Halle D. McCullough, as Superintendent and special disbursing agent of Fort Berthold Indian Agency, Elbowoods, North Dakota, for expenditures of \$283.61 and \$107.06 made during the month of June 1933 from the fund "Indian moneys, proceeds of labor, Fort Berthold Agency", which sums have been disallowed by the General Accounting Office for lack of accounting evidence to substantiate the propriety of the expenditures.

July 16, 1937
[S. 1934]
[Private, No. 240]

Halle D. McCullough.
Credit in accounts.

Approved, July 16, 1937.

[CHAPTER 505]

AN ACT

For the relief of H. G. Harmon.

July 16, 1937
[S 885]

[Private, No 241]

H G Harmon
Payment to*Proviso*
Limitation on attor-
ney's, etc., feesPenalty for viola-
tion

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to H. G. Harmon, of Hampton, Iowa, the sum of \$500 in full satisfaction of his claim against the Government for damages arising out of personal injuries to his wife and son and the destruction of his automobile, suffered when such automobile was struck and completely demolished by a Civilian Conservation Corps truck, on September 10, 1935, near Hampton, Iowa, and for expenses and losses resulting therefrom: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 16, 1937.

[CHAPTER 507]

AN ACT

For the relief of the Sheehy Drilling Company.

July 17, 1937
[S 630]

[Private, No 242]

Sheehy Drilling
Company
Payment to*Proviso*
Limitation on attor-
ney's, etc., fees.Penalty for viola-
tion

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the Sheehy Drilling Company, of Casper, Wyoming, out of any money in the Treasury not otherwise appropriated, the sum of \$660, said sum to be in full settlement of any and all claims against the Government for the balance due said Sheehy Drilling Company for completing performance of Department of the Interior (United States Geological Survey) contract No. 1-ga-2423, dated October 5, 1933, for plugging and abandonment of the Zola Oil Company well numbered 1, located on the southeast northwest section 25, township 27 north, range 93 west sixth principal meridian, Crook's Creek Area, in Fremont County, Wyoming, on canceled oil and gas prospecting permit, Cheyenne 029569: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 17, 1937.

[CHAPTER 508]

AN ACT

For the relief of the Goldenberg Furniture Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Goldenberg Furniture Company, Parkersburg, West Virginia, the sum of \$115.25. Such sum shall be in full satisfaction of its claim against the United States for the value of certain materials and equipment (plus the cost of labor on a portion thereof) furnished the district engineer, fourth district, Works Progress Administration, Parkersburg, West Virginia, by the said Goldenberg Furniture Company. The claim of such company for the payment of such sum was disallowed by the Acting Comptroller General of the United States on the ground that such materials and equipment were delivered and labor thereon performed upon the verbal order of an employee of the Works Progress Administration who was not authorized to act as a purchasing or contracting officer for the United States: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 17, 1937.

July 17, 1937
[S. 1849]
[Private, No. 243]

Goldenberg Furniture Company.
Payment to

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation

[CHAPTER 509]

AN ACT

For the relief of John A. Ensor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John A. Ensor, of Sparks, Maryland, the sum of \$25. The payment of such sum shall be in full settlement of all claims against the United States on account of the slaughter, prior to its registration as a purebred, of one diseased cow owned by the said John A. Ensor and in furtherance of the Bureau of Animal Industry's project for the elimination of Bang's disease: *Provided*, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 17, 1937.

July 17, 1937
[S. 2266]
[Private, No. 244]

John A. Ensor
Payment to

Proviso
Limitation on attorney's, etc., fees

Penalty for violation

[CHAPTER 510]

AN ACT

For the relief of James H. Smith.

July 19, 1937

[S. 1257]

[Private, No 245]

James H. Smith.
Payment to*Proviso*
Limitation on attorney's, etc., fees.

Penalty for violation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James H. Smith, of Washington, District of Columbia, formerly employed as laboratorian in roentgenology by the United States Veterans' Bureau, the sum of \$5,000 in full settlement of all claims against the Government for injuries received by him as a result of X-ray burns sustained by him in August 1922 and March 1923 while employed at the United States veterans' hospital at Dwight, Illinois, and at the United States Veterans' Bureau regional office at Lexington, Kentucky: *Provided*, That no part of the amount appropriated in this Act in excess of 10 percentum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 19, 1937.

[CHAPTER 512]

AN ACT

For the relief of Eva Markowitz.

July 19, 1937

[H. R. 458]

[Private, No 246]

Eva Markowitz.
Payment to, in monthly installments*Proviso*
Limitation on attorney's, etc., fees

Penalty for violation

Commencement of payments

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Eva Markowitz, of New York City, New York, for herself and on behalf of her three minor children, not to exceed \$4,000, in monthly installments of \$90 each, in full settlement of all claims against the Government on account of the death of her husband, the late Max Markowitz, who fell from and was run over by a Government-owned truck on April 30, 1935, when he was being transported from assigned work at the United States Northeastern Penitentiary, Lewisburg, Pennsylvania: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000: *Provided further*, That payments hereunder shall commence on the first day of the calendar month following the enactment of this Act.

Approved, July 19, 1937.

[CHAPTER 513]

AN ACT

For the relief of Joseph M. Clagett, Junior.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the guardian of Joseph M. Clagett, Junior, the sum of \$1,500, and the additional sum of \$40 per month during the remainder of his natural life, in full settlement of all claims against the United States for injuries sustained by him on December 27, 1934, caused by a fall down an open elevator shaft in a building in Philadelphia, Pennsylvania, owned by the United States Government and under the jurisdiction of the Treasury Department, Procurement Division: *Provided*, That the guardian of Joseph M. Clagett, Junior, shall file an annual report with the Secretary of the Treasury as to the physical condition of Joseph M. Clagett, Junior: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding: *Provided further*, That for the purpose of calculating the attorney fees allowed under this Act the sum of \$4,500 shall be taken as the maximum amount of the annuity under the provisions of this Act. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 21, 1937.

July 21, 1937
[H. R. 730]
[Private, No 247]

Joseph M. Clagett,
Jr
Payment to

Proviso
Annual report as to
physical condition

Limitation on attorney's, etc., fees.

Basis of calculation.

Penalty for violation

[CHAPTER 514]

AN ACT

For the relief of Noah Spooner.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Noah Spooner, of Quincy, Florida, the sum of \$250 in full satisfaction of his claim against the United States for damages on account of personal injuries suffered by him when the car in which he was riding was struck by a Forest Service truck operated in connection with the Civilian Conservation Corps near Wilma, Florida, on May 27, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 21, 1937.

July 21, 1937
[H. R. 3634]
[Private, No 248]

Noah Spooner
Payment to

Proviso
Limitation on attorney's, etc., fees

Penalty for violation.

[CHAPTER 515]

AN ACT

July 21, 1937

[H. R. 1377]

[Private, No. 249]

For the relief of Walter T. Karshner, Katherine Karshner, Anna M. Karshner, and Mrs. James E. McShane.

Walter T. Karsh-
ner and others
Payment to.

Proviso
Limitation on attor-
ney's, etc., fees

Penalty for viola-
tion

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Walter T. Karshner, the sum of \$600; to Katherine Karshner, the sum of \$80; to Anna M. Karshner, the sum of \$600; and to Mrs. James E. McShane, the sum of \$300, in full and final settlement of any and all claims against the Government for damages resulting from personal injuries and property damage received by them on January 29, 1935, at Columbus, Ohio, by reason of an automobile collision involving a Civilian Conservation Corps truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 21, 1937.

[CHAPTER 518]

AN ACT

July 22, 1937

[H. R. 2332]

[Private, No. 250]

For the relief of William Sulem.

William Sulem
Payment to

Proviso
Limitation on attor-
ney's, etc., fees.

Penalty for viola-
tion

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William Sulem, of the township of Franklin, county of Somerset, and State of New Jersey, the sum of \$750, in full settlement of all claims against the Government of the United States for injuries received by and damages to property of the said William Sulem while operating his automobile on the public highway in New Brunswick, New Jersey, by the negligent operation of a United States Government mail truck, numbered 9920, on said highway in said city while said truck was in the care and custody of and being driven by an operative of the United States Post Office Department under the orders of the Postmaster in the United States Postal Service at New Brunswick, New Jersey: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 22, 1937.

[CHAPTER 519]

AN ACT

For the relief of Mr. and Mrs. David Stoppel.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. David Stoppel, of Butte County, South Dakota, the sum of \$5,000 in full settlement of all claims against the United States for the death of their minor son, David Stoppel, Junior, who was killed on September 11, 1936, when run over and crushed by a tractor owned by the Emergency Conservation Works¹ and assigned to the Civilian Conservation Corps camp near Fruitdale, South Dakota, which camp is operated by the Bureau of Reclamation of the Department of the Interior: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 22, 1937.

July 22, 1937
[H. R. 2562]
[Private, No. 251]

Mr and Mrs David
Stoppel
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation

[CHAPTER 521]

AN ACT

For the relief of Venice La Prad.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to the legal guardian of Venice La Prad the sum of \$750, in full settlement of all claims for damages for personal injuries received by being run over by a truck operated by the Civilian Conservation Corps, Camp S-52, on the Lee Highway in Roanoke County, Virginia, on November 16, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 23, 1937.

July 23, 1937
[H. R. 1945]
[Private, No. 252]

Venice La Prad
Payment to guardian of

Proviso.
Limitation on attorney's, etc., fees

Penalty for violation.

[CHAPTER 535]

AN ACT

For the relief of Emory M. McCool, United States Navy, retired.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 2 of the Act approved May 23, 1930 (46 Stat. 375; U. S. C., title 34, sec. 790), Emory M. McCool, chief machinist's mate, United States Navy, retired, shall be held

July 28, 1937
[H. R. 6402]
[Private, No. 253]

Emory M. McCool,
Navy, retired
Service record corrected
46 Stat. 375
34 U. S. C. § 790.

¹ So in original.

Payment to.

34 U. S. C. § 431.

and considered to have completed thirty years' service, including naval service, time in the Fleet Naval Reserve, and Army service, including double time for service in the Philippines from November 28, 1899, to May 18, 1901, for the purpose of transfer to the retired list of the United States Navy, on May 19, 1929, and the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Emory M. McCool the sum of \$630, which sum represents allowances at \$15.75 per month, covering the period from May 19, 1929, to and including September 30, 1932, authorized by existing law (U. S. C., title 34, sec. 431) to be paid to enlisted men upon transfer to the retired list of the Navy upon completion of thirty years' service.

Approved, July 28, 1937.

[CHAPTER 549]

AN ACT

For the relief of Weymouth Kirkland and Robert N. Golding.

July 30, 1937
[H. R. 1086]
[Private, No. 254]

Weymouth Kirk-
land and Robert N
Golding
Payment to

Proviso
Limitation on attor-
ney's, etc., fees

Penalty for viola-
tion

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Weymouth Kirkland the sum of \$2,000, and to Robert N. Golding the sum of \$3,155.70; in all, \$5,155.70, in full settlement of all claims against the United States, for legal services rendered to the Railroad Labor Board under the direction and approval of the Department of Justice: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 30, 1937.

[CHAPTER 550]

AN ACT

For the relief of Joseph A. Rudy.

July 30, 1937
[H. R. 3261]
[Private, No. 255]

Joseph A. Rudy
Disability claim of,
to be determined

30 Stat. 746
5 U. S. C. §§ 765-770.

Time limitations
waived

Proviso
Filing of claim
No prior benefits.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission be, and it is hereby, authorized and directed to receive and determine the claim of Joseph A. Rudy for disability alleged to have resulted from an injury sustained by him on November 15, 1927, while in the employ of the Bureau of Narcotics, Treasury Department, under the provision of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, except that the time limitations in sections 15 to 20, both inclusive, of said Act are hereby waived: *Provided*, That such claim be filed within sixty days after the passage of this Act: *Provided further*, That no benefits shall accrue prior to the approval of this Act.

Approved, July 30, 1937.

[CHAPTER 551]

AN ACT

For the relief of N. C. Nelson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle the claim of N. C. Nelson for remission of liquidated damages in connection with the painting of certain buildings at the Veterans' Administration hospital, Chillicothe, Ohio, and to allow said claim in the amount of \$870 in addition to the amount paid to said N. C. Nelson under contract numbered VBe-374, dated November 3, 1928; and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$870 for payment of the claim: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, July 30, 1937.

July 30, 1937
[H. R. 4246]
[Private, No. 256]

N. C. Nelson
Remission of liquidated damages

Proviso
Limitation on attorney's, etc., fees

Penalty for violation

[CHAPTER 555]

AN ACT

For the relief of J. R. Collie and Eleanor Y. Collie.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to J. R. Collie and Eleanor Y. Collie, of Raleigh, North Carolina, father and mother of J. R. Collie, Junior, deceased, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500 in full satisfaction of their claims against the United States for the death of said J. R. Collie, Junior, a civilian employee, who was killed while in the employment of the United States Motor Transport Corps by an Army truck, numbered 225, at the Army supply base, Norfolk, Virginia, on August 15, 1919: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 2, 1937.

August 2, 1937
[S. 455]
[Private, No. 257]

J. R. and Eleanor Y. Collie
Payment to

Proviso
Limitation on attorney's, etc., fees

Penalty for violation.

[CHAPTER 558]

AN ACT

For the relief of Asa J. Hunter.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Asa J. Hunter the sum of \$250. Such sum shall be in full satisfaction of all claims against the United States for damages resulting

August 3, 1937
[S. 1067]
[Private, No. 258]

Asa J. Hunter
Payment to

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation

from personal injuries sustained by him when his automobile was struck by a United States post-office truck on October 6, 1930, in the city of Minneapolis, Minnesota: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 3, 1937.

[CHAPTER 559]

AN ACT

For the relief of Marion Shober Phillips.

August 3, 1937
[H. R. 2093]
[Private, No. 259]

Marion Shober Phillips
Payment to

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Marion Shober Phillips the sum of \$2,500, the payment of such sum being in full satisfaction of all claims against the United States by reason of injuries sustained by the said Phillips on May 27, 1934, while assisting Government officers, under their orders, in seizing and destroying an illicit liquor distillery: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 3, 1937.

[CHAPTER 560]

AN ACT

For the relief of G. L. Tarlton.

August 3, 1937
[S. 1143]
[Private, No. 260]

G. L. Tarlton.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to G. L. Tarlton, of Saint Louis, Missouri, the sum of \$22,007.34 in full settlement of his claim against the United States for increased cost of labor and material incurred in complying on and after August 10, 1933, with the President's Reemployment Agreement and/or the applicable approved code in the performance of his contract with the War Department dated February 15, 1933, for the construction of a lock at lock and dam numbered 1, Barren River, Kentucky, and

other work connected therewith: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 3, 1937.

[CHAPTER 561]

AN ACT

For the relief of the Frazier-Davis Construction Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Frazier-Davis Construction Company, of Saint Louis, Missouri, the sum of \$25,144.76 in full settlement of the claim of said company against the United States for increased cost of labor and material incurred in complying on and after August 10, 1933, with the President's Reemployment Agreement and/or the applicable approved code in the performance of its contract with the War Department dated January 19, 1933, for the construction of lock and dam numbered 5, Green River, Kentucky: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

August 3, 1937

[S 1144]

[Private, No. 261]

Frazier-Davis Construction Company
Payment to.

Proviso
Limitation on attorney's, etc., fees

Penalty for violation.

Approved, August 3, 1937.

[CHAPTER 562]

AN ACT

For the relief of Dewey Jack Krauss, a minor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,500 to the legal guardian of Dewey Jack Krauss, of Fabens, Texas, for serious and permanent injury suffered by said Dewey Jack Krauss, while swimming in the "Water Pumps" near Fabens, Texas, which body of water is under the management and jurisdiction of the Bureau of Reclamation, Department of the Interior: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

August 4, 1937

[H R 1420]

[Private, No. 262]

Dewey Jack Krauss
Payment to guardian of

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 4, 1937.

[CHAPTER 575]

AN ACT

For the relief of Josephine M. Scott.

August 10, 1937

[S 184]

[Private, No 263]

Josephine M. Scott.
Payment to.*Proviso.*
Limitation on attorney's, etc., fees.

Penalty for violation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Josephine M. Scott, widow of Harry Scott, of Opheim, Montana, the sum of \$1,000 in full settlement of all claims against the Government for the loss of a valuable registered Percheron stallion, the death of which was caused by a test for dourine made by Doctor Perry Zenor, a veterinarian and representative of the Department of Agriculture: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 10, 1937.

[CHAPTER 576]

AN ACT

For the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department.

August 10, 1937

[S 2334]

[Private, No 264]

Army disbursing officers
Credits allowed in accounts of designated*Proviso.*
Accountability.

Maj. H. G. Foster.

Provisos.
Refund to Capt. William C. Carne.

Accountability.

Lt. Col. Clarence M. McMurray.
Allowance for shipment of property of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of the following disbursing officers of the Army of the United States the amounts set opposite their names: Major E. T. Comegys, Finance Department, \$80.54; Captain J. H. Dickie, Finance Department, \$13.30; Major E. F. Ely, Finance Department, \$51.40; Major H. G. Foster, Finance Department, \$36.86; and Lieutenant Colonel F. M. Holmes, Finance Department, \$39, said amounts being public funds for which they are accountable and which comprise minor errors in computation of pay and allowances due former members of the Civilian Conservation Corps, Reserve Officers' Training Corps, and the Regular Army, who are no longer in the service of the United States, and which amounts have been disallowed by the Comptroller General of the United States: *Provided*, That no part of the amounts so credited shall be later charged against any individual other than the various payees.

SEC. 2. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Major H. G. Foster, Finance Department, \$38, representing overpayment to a Civilian Conservation Corps enrollee for the months of August and September 1934: *Provided*, That there be refunded to Captain William C. Carne, Fourth Regiment United States Infantry, \$9.50 on account of payment made by him on this account: *Provided further*, That no charge shall be raised against any individual other than the payee.

SEC. 3. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of the disbursing officer of the Army making payment therefor the cost of shipment by rail of household goods and personal property belonging to Lieutenant Colonel (then Major) Clarence M. McMurray.

ray, Infantry, on permanent change of station from Fort Lewis, Washington, to Newport, Kentucky, in December 1933 in a sum not exceeding \$188.29.

SEC. 4. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of First Lieutenant W. J. Matteson, Corps of Engineers, \$27,044, representing the amount paid by him for the construction of two additions to the Munitions Building under contracts with Birchett and Atkins, Incorporated, and the Charles H. Tompkins Company, and approved by the Secretary of War, which amount has been disallowed by the Comptroller General of the United States on the grounds that the appropriation expended was not available for construction in the District of Columbia: *Provided*, That any amounts collected from either of the contractors on account of these payments prior to the passage of this Act shall be refunded to them.

First Lt. W. J.
Matteson
Credit in accounts

Proviso
Refunds

Interest charges

SEC. 5. That in all cases where suit has been instituted in the courts against any disbursing officer covering items subsequently cleared by the action of the Congress or otherwise, such clearance of the principal amount shall be considered and construed as precluding the recovery of any interest charges from the disbursing officer arising from any items so cleared.

Approved, August 10, 1937.

[CHAPTER 577]

AN ACT

For the relief of R. L. McLachlan.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to R. L. McLachlan, of Estill, Missouri, the sum of \$75 in full settlement of all claims against the United States for damages to him caused by the death of one purebred cow and one grade cow, known as abortion reactors, in connection with the Government's efforts to eradicate this disease from the dairy herds of Howard County, Missouri: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

August 10, 1937
[S 2399]
[Private, No. 265]

R. L. McLachlan
Payment to.

Proviso.
Limitation on attorney's, etc., fees

Penalty for violation.

Approved, August 10, 1937.

[CHAPTER 582]

AN ACT

For the relief of Ethel Smith McDaniel.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions and limitations of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as

August 11, 1937
[S 972]
[Private, No. 266]

Ethel Smith McDaniel.
Provisions of Employees' Compensation Act extended to.
39 Stat 740.
5 U. S. C. §§ 765-770

Proviso
Time limitation
No prior benefits

amended, are hereby waived in favor of Ethel Smith McDaniel, widow of Travis McDaniel, who died on April 16, 1934, and whose death is alleged to have resulted from disability incurred on January 8, 1929, while an employee of the United States Railway Mail Service, and the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider her claim under the remaining provisions of said Act: *Provided*, That claim hereunder shall be made within six months from the date of the approval of this Act: *And provided further*, That no benefits shall accrue prior to the approval of this Act.

Approved, August 11, 1937.

[CHAPTER 583]

AN ACT

For the relief of Maude P. Gresham and Agnes M. Driscoll.

August 11, 1937
[S 1453]
[Private, No. 267]

Maude P. Gresham
and Agnes M. Driscoll
Payment to

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Maude P. Gresham, widow of William F. Gresham, late commander, United States Navy, the sum of \$8,690.55, and to Agnes M. Driscoll the sum of \$6,250, out of any money in the Treasury not otherwise appropriated, said sums to be in full and complete settlement of all claims by said parties against the United States arising from the invention of the late Commander William F. Gresham and Agnes M. Driscoll, which said invention has been accepted by the Navy Department for use in connection with naval communication facilities: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 11, 1937.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation

[CHAPTER 584]

AN ACT

To provide for the holding of an examination by the Board of Optometry of the District of Columbia for a license to practice optometry in the District of Columbia for Welton B. Hutton.

August 11, 1937
[H R 4536]
[Private, No. 268]

Welton B. Hutton
Examination for optometry license authorized
43 Stat. 177.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any limitations relating to the time required to be engaged in the practice of optometry as set forth in the Act entitled "An Act to regulate the practice of optometry", District of Columbia, 1924, the Board of Optometry in and for the District of Columbia is authorized and directed to hold an examination for a license to practice optometry in the District of Columbia for Welton B. Hutton, Washington, District of Columbia, in accordance with the other provisions of the aforesaid Act.

Approved, August 11, 1937.

[CHAPTER 585]

AN ACT

To provide for the issuance of a license to practice the healing art in the District of Columbia to Doctor Frederick W. Didier.

August 11, 1937
[H. R. 4876]
[Private, No. 260]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any limitation relating to the time within which an application for a license must be filed, the Commission on Licensure to Practice the Healing Art in the District of Columbia is authorized and directed to issue a license to practice the healing art in the District of Columbia to Doctor Frederick W. Didier in accordance with the provisions of the first paragraph of section 24 of the Healing Arts Practice Act, District of Columbia, approved February 27, 1929.

Dr. Frederick W. Didier.
License to practice the healing art in the District of Columbia.

45 Stat 1334.

Approved, August 11, 1937.

[CHAPTER 586]

AN ACT

To provide for the issuance of a license to practice the healing art in the District of Columbia to Doctor William Justin Olds.

August 11, 1937
[H. R. 4982]
[Private, No. 270]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any limitation relating to the time within which an application for a license must be filed, the Commission on Licensure to Practice the Healing Art in the District of Columbia is authorized and directed to issue a license to practice the healing art in the District of Columbia to Doctor William Justin Olds, Front Royal, Virginia, in accordance with the provisions of the first paragraph of section 24 of the Healing Arts Practice Act, District of Columbia, 1928.

Dr. William Justin Olds.
License to practice the healing art in the District of Columbia.

45 Stat 1334.

Approved, August 11, 1937.

[CHAPTER 587]

AN ACT

To provide for the issuance of a license to practice chiropractic in the District of Columbia to Doctor Russell V. Pemberton.

August 11, 1937
[H. R. 5110]
[Private, No. 271]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any limitation relating to the time within which an application for a license must be filed the Commission on Licensure to Practice the Healing Art in the District of Columbia is authorized and directed to issue a license to practice chiropractic in the District of Columbia to Doctor Russell V. Pemberton in accordance with the provisions of the Act of Congress entitled "An Act to regulate the practice of the healing art to protect the public health in the District of Columbia", approved February 27, 1929, and on condition that the said Russell V. Pemberton shall be found by said Commission to be otherwise qualified to practice under the provisions of said Act.

Dr Russell V Pemberton
License to practice chiropractic in the District of Columbia.

45 Stat. 1335.

Approved, August 11, 1937.

[CHAPTER 610]

AN ACT

For the relief of Orson Thomas.

August 12, 1937
[S. 191]
[Private, No. 272]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated,

Orson Thomas.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation

to Orson Thomas, of Salt Lake City, Utah, the sum of \$1,200 in full settlement of all claims against the United States for damages on account of injuries resulting from being struck by an Army truck on February 25, 1932, at Salt Lake City, Utah: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 12, 1937.

[CHAPTER 611]

AN ACT

For the relief of the estate of Charles Pratt.

August 12, 1937
[S. 449]

[Private, No 273]

Charles Pratt.
Payment to estate of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to the administrator of the estate of Charles Pratt, deceased, formerly of Chittenden County, Vermont, the sum of \$2,500 in full settlement of all claims against the United States for personal injuries sustained by Charles Pratt as the result of an accident involving a Government truck, operated in connection with the Civilian Conservation Corps, near Williston, Vermont, on January 26, 1934, which injuries contributed to his death a few months thereafter: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 12, 1937.

[CHAPTER 612]

AN ACT

For the relief of Thomas W. Seay.

August 12, 1937
[S. 1044]

[Private, No. 274]

Thomas W. Seay.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas W. Seay, of Albuquerque, New Mexico, the sum of \$10,000 in full settlement of any and all claims against the Government on account of personal injuries sustained by him as a result of gun-shot wounds received while in the performance of his duty as a deputy sheriff attempting to arrest a counterfeiter, said injuries having resulted in his permanent total disability: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or

Proviso.
Limitation on attorney's, etc., fees.

attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 12, 1937.

Penalty for violation.

[CHAPTER 613]

AN ACT

For the relief of Pauline M. Warden, nee Pauline McKinney.

August 12, 1937

[S. 1219]

[Private, No. 275]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended by sundry Acts, including the Act of February 15, 1934 (48 Stat. 351), the United States Employees' Compensation Commission is hereby authorized and directed to extend the provisions of said Acts to Pauline M. Warden (nee Pauline McKinney), of Tulsa, Oklahoma, for personal injuries sustained by her on August 17, 1934, on United States Highway Numbered 77, near Wayne, Oklahoma, while in the performance of her duties as a nonrelief administrative employee of the Federal Emergency Relief Administration for the State of Oklahoma: *Provided*, That claim hereunder shall be filed within six months after the approval of this Act.

Pauline M. Warden.
Provisions of designated disability Acts extended to.
39 Stat. 742; 48 Stat. 351
5 U. S. C. §§ 751-796.

Proviso.
Filing of claim.

Approved, August 12, 1937.

[CHAPTER 614]

AN ACT

For the relief of Harry Burnett.

August 12, 1937

[S. 1822]

[Private, No. 276]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry Burnett, of Eunice, New Mexico, the sum of \$300 in full settlement of any and all claims against the Government on account of personal injuries sustained by him in a collision with an automobile owned by the United States Government and driven by Howard H. Major, agent and employee of the Government, in the service of the Division of Grazing, on Highway Numbered 285 at a point about nine miles north of Encino, New Mexico, on December 1, 1936: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Harry Burnett.
Payment to.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 12, 1937.

[CHAPTER 615]

AN ACT

For the relief of the Consolidated Aircraft Corporation.

August 12, 1937

[S. 1881]

[Private, No. 277]

Consolidated Air-
craft Corporation.
Payment to.*Proviso*
Limitation on attor-
ney's, etc., fees.Penalty for viola-
tion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Consolidated Aircraft Corporation the sum of \$79,116.88, in full settlement of all claims against the United States for additional costs incurred by such corporation in the performance of a contract with the Department of the Navy dated June 13, 1933 (contract numbered No.-31792): *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 12, 1937.

[CHAPTER 616]

AN ACT

To provide for the reimbursement of certain civilian employees of the Navy for the value of personal effects destroyed in a fire at the Naval Air Station, Hampton Roads, Virginia, May 15, 1936.

August 12, 1937

[H. R. 4676]

[Private, No. 278]

Naval Air Station,
Hampton Roads, Va.
Reimbursement of
certain employees for
personal property
losses.*Provisos.*
Amount to each
claimant.Limitation on attor-
ney's, etc., fees.Penalty for viola-
tion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,101.20, or such portion as may be necessary, to pay claims of civilian employees of the United States Navy for the value of personal effects destroyed as the result of a fire at the Naval Air Station, Hampton Roads, Virginia, May 15, 1936: *Provided*, That the Secretary of the Navy shall determine the amount to be paid hereunder to each claimant: *And provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 12, 1937.

[CHAPTER 617]

AN ACT

For the relief of John P. Ryan.

August 12, 1937

[H. R. 5158]

[Private, No. 279]

John P. Ryan.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John P. Ryan,

of Worcester, Massachusetts, the sum of \$2,115, in full settlement of his claim against the United States for personal injuries sustained when he was struck by a United States Navy truck, on August 12, 1931, at the intersection of Ninth Avenue and Pike Street, Seattle, Washington: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 12, 1937.

[CHAPTER 634]

AN ACT

For the relief of George Smith and Ketha Smith.

August 14, 1937

[S. 176]

[Private, No. 280]

George Smith and
Ketha Smith.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to George Smith and Ketha Smith, of Mobile, Alabama, the sum of \$2,250 in full settlement of all claims against the United States Government for damage to their automobile and for bodily injuries sustained by them on September 3, 1934, when the automobile in which they were riding collided with a Government vehicle operated in connection with the Civilian Conservation Corps, near Mobile, Alabama: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 14, 1937.

[CHAPTER 635]

AN ACT

For the relief of Margaret Larson, a minor.

August 14, 1937

[S. 792]

[Private, No. 281]

Margaret Larson.
Payment to guardian of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Margaret Larson, a minor, of Ephrata, Washington, the sum of \$2,500 in full settlement of all claims of said guardian and minor against the Government of the United States for injuries received by Margaret Larson on August 30, 1935, when she was struck by a truck belonging to the United States Department of Commerce on the highway between Soap Lake and Ephrata, Washington: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 14, 1937.

[CHAPTER 636]

AN ACT

August 14, 1937
[S 893]

[Private, No 282]

Conferring jurisdiction upon the Court of Claims of the United States to hear, determine, and render judgment upon the claims of Jack Wade, Perry Shilton, Louie Hess, Owen Busch, and William W. McGregor.

Jack Wade and others
Claims of, referred to Court of Claims

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the United States Court of Claims to hear, determine, and render judgment, as if the United States were suable in tort, upon the claims of Jack Wade, Perry Shilton, Louie Hess, Owen Busch, and William W. McGregor, all of Mancos, Colorado, for damages resulting from personal injuries sustained by them in a collision with a Civilian Conservation Corps truck on the public highway on the crest of Navajo Hill, in Mesa Verde National Park, Colorado, on January 7, 1935: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court: *Provided further*, That said suit shall be brought and commenced within six months of the date of the passage of this Act.

Provisos
Notice to Attorney General
Commencement of suit

Approved, August 14, 1937.

[CHAPTER 637]

AN ACT

August 14, 1937
[H R 991]

[Private, No 283]

For the relief of Adelaide Guerini.

Adelaide Guerini
Conveyance of certain real estate to

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury, for and on behalf of the United States of America, be, and he is hereby, authorized and directed to execute to Adelaide Guerini, of Memphis, Tennessee, a quitclaim deed conveying any right, title, and interest of the United States of America in the following described real estate lying and being in the city of Memphis, Shelby County, Tennessee.

Description

Lot numbered 20, block 5, Horn Brothers Galloway Park subdivision, as shown on plat in Plat Book 6, page 91, of the registers' office, Shelby County, Tennessee: Beginning at a point in the north line of North Parkway three hundred and thirteen feet west of the west line of Ayers Street; thence westwardly with the north line of North Parkway fifty feet; thence northwardly, parallel with Ayers Street, one hundred and forty-four feet to an alley; thence eastwardly with south line of said alley fifty feet; thence southwardly one hundred and forty-four feet to the beginning point. Said property consists of a house and lot located at 872 North Parkway, Memphis, Shelby County, Tennessee, and is the same property conveyed to the United States of America by Arthur Rogers, United States marshal, by instrument dated April 29, 1933, and of record in Book 738, page 421, in the office of the register of Shelby County, Tennessee.

Satisfaction of judgment against, as surety.

SEC. 2. That the clerk of the United States District Court for the Western District of Tennessee, at Memphis, is hereby authorized and directed to satisfy of record the judgment obtained by the United

States of America against Adelaide Guerini, as surety on the forfeited bail bond of W. R. McDade, who was charged with violation of the National Prohibition Act and who failed to appear as required by law but against whom such charge was dismissed on May 7, 1925, for want of sufficient evidence.

Approved, August 14, 1937.

[CHAPTER 638]

AN ACT

For the relief of Dorothy Krick, Ernest Krick, and the estate of James Albert Ferren, deceased.

August 14, 1937
[H R 1241]

[Private, No. 284]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Dorothy Krick, of Galice, Oregon, the sum of \$8,399.50; to Ernest Krick, of Galice, Oregon, the sum of \$1,743; and to May Elizabeth Ferren, administratrix of the estate of James Albert Ferren, deceased, late of Galice, Oregon, the sum of \$5,250; in all, \$15,392.50, in full settlement of their claims against the United States for damages as a result of personal injuries sustained by Dorothy and Ernest Krick, and the death of James Albert Ferren, and for property damage, when the automobile in which they were riding was struck by a truck operated in connection with the Civilian Conservation Corps, on December 9, 1933, on the Merlin-Almeda Market Road, near Grants Pass, Josephine County, Oregon: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Dorothy Krick and
others
Payment to

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation

Approved, August 14, 1937.

[CHAPTER 639]

AN ACT

For the relief of the estate of Marcellino M. Gilmette.

August 14, 1937
[H R 1794]

[Private, No. 285]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Matheus M. Gilmette, duly appointed administrator of the estate of Marcellino M. Gilmette, the sum of \$110, in full settlement of all claims against the Government of the United States, representing wages due to said Marcellino M. Gilmette, who died at sea on April 1, 1924: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Marcellino M. Gilmette
Payment to estate of.

Proviso
Limitation on attorney's, etc., fees

Penalty for violation

Approved, August 14, 1937.

[CHAPTER 640]

AN ACT

For the relief of J. Roy Workman, Adelaide W. Workman, and J. Roy Workman, Junior, a minor.

August 14, 1937
[H. R. 1869]
[Private, No 286]

J. Roy Workman
and others
Payment to

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. Roy Workman, of Clinton, South Carolina, the sum of \$1,000; to Adelaide W. Workman, of the same city, the sum of \$1,000; and to the legal guardian of J. Roy Workman, Junior, of the same city, the sum of \$1,500. Said sums to be in full settlement of all claims against the United States for expenses incurred and injuries received when the car in which they were riding was struck by a truck in the use of the Works Progress Administration on December 4, 1935, near Clinton, South Carolina: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso
Limitation on attorney's, etc., fees

Penalty for violation

Approved, August 14, 1937.

[CHAPTER 641]

AN ACT

For the relief of Vincent Chicco.

August 14, 1937
[H. R. 3217]
[Private, No 287]

Vincent Chicco.
Release of liability
as surety on bond

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Vincent Chicco, Charleston, South Carolina, is hereby relieved of all liability as surety on the bond in the sum of \$5,000, filed in the United States District Court for the Eastern District of South Carolina, for the appearance of one Morris Grossman for trial on a charge of conspiracy to violate the National Prohibition Act.

Approved, August 14, 1937.

[CHAPTER 642]

AN ACT

For the relief of J. H. Knott.

August 14, 1937
[H. R. 3396]
[Private, No 288]

J. H. Knott
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the United States Treasury not otherwise appropriated, to J. H. Knott the sum of \$1,000 in full and complete settlement of all claims against the United States as damages for personal injuries suffered when he was struck by a Navy truck at the corner of Main and Market Streets in the city of Dallas, Texas, on February 2, 1931: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 14, 1937.

[CHAPTER 643]

AN ACT

For the relief of George O. Claypool.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission be, and is hereby, authorized to consider and determine, notwithstanding the limitations of time in sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, the claim of George O. Claypool, of Chillicothe, Ohio, on account of disability due to tuberculosis alleged to have been contracted by reason of exposure to patients while on duty during his employment, in the service of the United States, at the Veterans' Administration facility, Chillicothe, Ohio, between April 1925 and March 1926: *Provided*, That no benefits shall accrue prior to the enactment of this Act: *Provided further*, That claim hereunder shall be filed within six months after the enactment of this Act.

Approved, August 14, 1937.

August 14, 1937
[H. R. 3503]
[Private, No. 289]

George O. Claypool.
Provisions of Em-
ployees' Compensation
Act extended to.
39 Stat 746, 747.
5 U. S. C. §§ 765-
770

Proviso.
No prior benefits.

Time for filing claim.

[CHAPTER 644]

AN ACT

For the relief of Ludwig Bahnweg.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ludwig Bahnweg, of New York City, the sum of \$500, in full satisfaction of his claim against the United States for the value of a Liberty bond in that amount deposited by him to secure the appearance of an alien, Elizabeth Wilhelm, on June 3, 1931, and forfeited to the United States Treasury March 3, 1932, after her failure to appear, although said alien had been apprehended with the efforts of Ludwig Bahnweg, and deported on February 26, 1932: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 14, 1937.

August 14, 1937
[H. R. 5144]
[Private, No. 290]

Ludwig Bahnweg.
Payment to.

Proviso.
Limitation on attor-
ney's, etc., fees.

Penalty for viola-
tion.

[CHAPTER 645]

AN ACT

For the relief of Ethel B. Lord, a minor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Ethel B. Lord, a minor, of Bibb County, Georgia, the sum of \$5,000 in full settlement of all claims against the United States for personal injuries sustained by her as the result of the explosion of an old hand grenade at the former site of Camp Wheeler, near Macon, Georgia, on November 23, 1935, part of which site is now occupied as the home

August 14, 1937
[H. R. 5168]
[Private, No. 291]

Ethel B. Lord.
Payment to guard-
ian of.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation

of her family: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 14, 1937.

[CHAPTER 646]

AN ACT

For the relief of Carson Bradford.

August 14, 1937
[H. R. 5229]

[Private, No 292]

Carson Bradford.
Payment to.

Proviso
Limitation on attorney's, etc., fees

Penalty for violation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Carson Bradford, of Miami, Dade County, Florida, the sum of \$2,500, in full settlement of all claims against the United States for damage done to his house and property, located at Lake Weir, Marion County, Florida, on January 15, 1935, by agents of the Federal Bureau of Investigation of the Department of Justice in apprehending certain fugitives from justice: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 14, 1937.

[CHAPTER 647]

AN ACT

For the relief of Cecile C. Cameron.

August 14, 1937
[H. R. 7387]

[Private, No 293]

Cecile C. Cameron.
Payment to.

Appropriation authorized
Ante, p 771.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Cecile C. Cameron, widow of Alfred D. Cameron, late an American Foreign Service officer assigned as American consul at London, England, the sum of \$4,400, equal to one year's salary of her deceased husband, who died in illness incurred while at his post of duty in the Consular Service; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this Act.

Approved, August 14, 1937.

[CHAPTER 668]

AN ACT

For the relief of Troup Miller and Harvey D. Higley.

August 16, 1937
[S 1160]

[Private, No. 294]

Troup Miller and
Harvey D. Higley.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Troup Miller, colonel Eleventh Regiment United States Cavalry, and Harvey D. Higley, lieutenant colonel Seventy-sixth Regiment United States Field Artillery, the sum of \$5,257.50, in full satisfaction of their claims against the United States for money paid from their personal funds to make good the loss of money belonging to trainees of the citizens' military training camp at the Presidio of Monterey, California, which was unavoidably lost or stolen when it had been placed in the welfare office of such camp for safekeeping in July 1936: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 16, 1937.

[CHAPTER 669]

AN ACT

For the relief of Willard Collins.

August 16, 1937
[S 1401]

[Private, No. 295]

Willard Collins
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Willard Collins, of Tipler, Wisconsin, the sum of \$7,500 in full and final settlement of any and all claims against the Government for the death of his wife and minor child, and personal injuries to himself, suffered on November 23, 1936, when the automobile in which they were riding was struck by a truck belonging to the Department of Agriculture, Forest Service, which was being operated by Joseph Yusba, a member of the Civilian Conservation Corps, Camp Rainbow, Florence County, Wisconsin: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 16, 1937.

[CHAPTER 670]

AN ACT

For the relief of Marjorie L. Baxter.

August 16, 1937

[H. R. 420]

[Private, No. 296]

Marjorie L. Baxter.
Payment to*Proviso*
Limitation on attorney's, etc., fees.

Penalty for violation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Marjorie L. Baxter, of Port Chester, New York, the sum of \$3,500. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by the said Marjorie L. Baxter on account of permanent injuries received when the automobile in which she was riding was struck on the Bronx River Parkway near Crestwood, New York, April 24, 1934, by a motor vehicle in the service of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 16, 1937.

[CHAPTER 671]

AN ACT

Conferring jurisdiction upon the United States District Court for the District of New Jersey to hear, determine, and render judgment upon the claim of A. F. Amory.

August 16, 1937

[H. R. 851]

[Private, No. 297]

A. F. Amory
Claim of, submitted to district court

Jurisdiction.

Proviso
Notice to Attorney General.

Commencement of suit.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the United States District Court for the District of New Jersey to hear, determine, and render judgment upon the claim of A. F. Amory, of Hampton, Virginia, against the United States for damages alleged to have been caused on the early morning of August 6, 1929, by a collision in the harbor of Cape May, New Jersey, between a submerged wreck alleged to have been then in custody of the United States Coast Guard, at Cape May, New Jersey, and the power boat Mocking Bird, owned and operated by the said A. F. Amory, as a result whereof it is alleged that the said power boat Mocking Bird sustained substantial damage, and the same may be sued for by the said A. F. Amory in the District Court of the United States for the District of New Jersey, sitting as a court of admiralty and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the said A. F. Amory upon the same principles and measures of liability as in like cases between private parties and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided for by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend said United States: *Provided further*, That said suit shall be brought and commenced within four months from the date of the passage of this Act.

Approved, August 16, 1937.

[CHAPTER 672]

AN ACT

For the relief of Guido Biscaro, Giovanni Polin, Spironello Antonio, Arturo Bettio, Carlo Biscaro, and Antonio Vannin.

August 16, 1937
[H. R. 886]

[Private, No. 298]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Guido Biscaro, Giovanni Polin, Spironello Antonio, Arturo Bettio, Carlo Biscaro, and Antonio Vannin the sum of \$3,500, in full settlement of all claims against the United States for the refund of the amount of the bond deposited with the United States Immigration Service guaranteeing the presence in court of Virginia Nasato, Melchior Miotto, Silvio Polin, Augustino Del Bianco, Daniel Biscaro, Augustin Taveron, and Emilio Miotto, and later forfeited because of failure of the bondsmen to produce the aliens in court for deportation proceedings: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Guido Biscaro and
others.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 16, 1937.

[CHAPTER 673]

AN ACT

For the relief of Dexter P. Cooper.

August 16, 1937
[H. R. 1065]

[Private, No. 299]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dexter P. Cooper, the sum of \$792, in full settlement of his claim against the United States for expenses incurred in the operation of a personally owned motorboat during the period from December 1, 1934, to June 30, 1935, while employed by the Public Works Administration as a consulting engineer in connection with the Passamaquoddy power project, Washington County, Maine: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Dexter P. Cooper.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 16, 1937.

[CHAPTER 674]

AN ACT

August 16, 1937
[H. R. 1207]
[Private, No. 300]

Conferring jurisdiction upon the United States District Court for the Middle District of Georgia to hear, determine, and render judgment upon the claims of the estates of Marshall Campbell and Raymond O'Neal.

Marshall Campbell
and Raymond O'Neal.
Claims of estates of,
submitted to district
court.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the United States District Court for the Middle District of Georgia to hear, determine, and render judgment, as if the United States were suable in tort, upon the claims of the estate of Marshall Campbell, and the estate of Raymond O'Neal, of Greene County, Georgia, for damages resulting from the deaths of said Marshall Campbell and Raymond O'Neal by reason of an automobile collision involving a Civilian Conservation Corps truck on August 30, 1935, on the highway between Greensboro and Union Point, Georgia: *Provided*, That the judgment, if any, shall not exceed, in the case of the estate of Marshall Campbell, \$5,000; and in the case of the estate of Raymond O'Neal, \$5,000.

Proviso
Judgment

Commencement of
suit

Proceedings, etc

SEC. 2. Suit upon such claims may be instituted at any time within one year after the enactment of this Act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claims, appeals therefrom, and payment of any judgment thereon, shall be in the same manner as in the cases over which such court has jurisdiction under the provisions of paragraph twentieth of section 24 of the Judicial Code, as amended.

28 U S C § 41 (20)

Approved, August 16, 1937.

[CHAPTER 675]

AN ACT

August 16, 1937
[H. R. 1915]
[Private, No. 301]

For the relief of Charles Tabit.

Charles Tabit
Payment to

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Charles Tabit, of Montgomery, West Virginia, the sum of \$3,204 in full satisfaction of all his claims against the United States for damages for personal injuries received by him on July 13, 1934, when struck by a Government truck operated by an enrollee of the Civilian Conservation Corps, Company 521: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso.
Limitation on attorney's, etc., fees

Penalty for violation

Approved, August 16, 1937.

[CHAPTER 676]

AN ACT

August 16, 1937
[H. R. 1734]
[Private, No. 302]

For the relief of Sam Romack.

Sam Romack.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sam Romack, of Seward, Alaska, the sum of \$125, in full settle-

ment of all claims against the Government of the United States for the loss of his gas boat T-4389, when sunk by the United States Coast Guard patrol boat Morris, on or about September 26, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be fined in any sum not exceeding \$1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 16, 1937.

[CHAPTER 677]

AN ACT

For the relief of A. H. Sphar.

August 16, 1937
[H. R. 2488]

[Private, No. 308]

A. H. Sphar.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, the sum of \$100 to A. H. Sphar, of Cortez, Colorado, as reimbursement for the loss of a bull which died from poison on September 27, 1925, while loaned to and in the possession of the Government at the Ute Mountain Indian School at Towaoc, Colorado: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso.
Limitation on attorney's, etc., fees

Penalty for violation

Approved, August 16, 1937.

[CHAPTER 678]

AN ACT

For the relief of John N. Brooks.

August 16, 1937
[H. R. 2740]

[Private, No. 304]

John N. Brooks.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement of all claims against the United States, the sum of \$2,500 to John N. Brooks, of Cincinnati, Ohio, which sum was paid by him April 14, 1925, to the United States by reason of the forfeiture of the bail bond of Frank Overturf, the case against whom was subsequently dismissed because of his absence for seven years: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act

Proviso.
Limitation on attorney's, etc., fees.

Penalty for viola-
tion.

in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 16, 1937.

[CHAPTER 679]

AN ACT

For the relief of Jack C. Allen.

August 16, 1937
[H. R. 3750]

[Private, No. 305]

Jack C. Allen
Payment to

Proviso
Limitation on attor-
ney's, etc., fees

Penalty for viola-
tion

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, to Jack C. Allen, the sum of \$286, in full satisfaction of his claim against the United States for loss of personal possessions in a fire at Fort McPherson, Georgia, in December 1929, said Allen being at the time this loss was sustained a member of the enlisted personnel of the United States Army assigned to quarters in the barracks consumed by fire: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 16, 1937.

[CHAPTER 680]

AN ACT

For the relief of the estate of Colonel C. J. Bartlett, United States Army.

August 16, 1937
[H. R. 3987]

[Private, No. 306]

Col C J Bartlett,
Army
Payment to estate
of

Proviso
Limitation on attor-
ney's, etc., fees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. C. J. Bartlett, of San Francisco, California, administratrix of the estate of Colonel C. J. Bartlett, Medical Corps, United States Army, the sum of \$293. The payment of such sum shall be in full settlement of all claims against the United States for the loss sustained by the said Colonel C. J. Bartlett on account of damage to his personal property incident to its shipment from San Francisco, California, to Fort Slocum, New York, and its reshipment to San Francisco, California, during the year 1934. Such shipment and reshipment were occasioned by the transfer, by order of the Department of War, of the said Colonel C. J. Bartlett from the Presidio of San Francisco to Fort Slocum, New York, and his subsequent return, by order of the Department of War, to his home in San Francisco to await retirement: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall

be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Penalty for violation.

Approved, August 16, 1937.

[CHAPTER 681]

AN ACT

For the relief of William Sperry.

August 16, 1937

[H. R. 4378]

[Private, No 307]

William Sperry.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, the sum of \$4,000, to William Sperry, Newport, Washington, in full settlement of all claims against the United States for damages sustained by the said William Sperry on account of the loss of his son, Clifford Sperry, a minor, who was struck and killed on May 27, 1934, at Newport, Washington, by a Forest Service truck driven by an enrollee of the Civilian Conservation Corps stationed at Silvernite, Montana: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act, in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 16, 1937.

[CHAPTER 682]

AN ACT

For the relief of Lake Spence.

August 16, 1937

[H. R. 4526]

[Private, No 308]

Lake Spence.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Lake Spence, of Berwind, West Virginia, the sum of \$5,000 in full settlement of all claims against the United States for damages sustained by the said Lake Spence, on account of permanent personal injuries suffered by him when the automobile which he was driving was struck on October 10, 1936, at Rift, West Virginia, by a truck in the service of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso
Limitation on attorney's etc., fees.

Penalty for violation.

Approved, August 16, 1937.

[CHAPTER 683]

AN ACT

For the relief of Luther Jennings Workman, a minor.

August 16, 1937
[H. R. 4527]
[Private, No. 309]

Luther Jennings
Workman
Payment to guardian of.

Proviso
Limitation on attorney's, etc., fees

Penalty for violation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500 to the legal guardian of Luther Jennings Workman, a minor, of Red Jacket, West Virginia, in full settlement of all claims against the Government of the United States for personal injuries suffered by him on January 11, 1936, when he was burned by the explosion of gasoline in a fire left by employees of the Works Progress Administration at Red Jacket, West Virginia: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 16, 1937.

[CHAPTER 684]

AN ACT

For the relief of D. E. Sweinhart.

August 16, 1937
[H. R. 4775]
[Private, No. 310]

D. E. Sweinhart.
Payment to.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay to D. E. Sweinhart, of San Antonio, Texas, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 in full settlement of all claims against the United States for the death of his son, Edward Sweinhart, a minor, who was killed at San Antonio, Texas, on October 14, 1917, by the negligent driving of a United States Army truck: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 16, 1937.

[CHAPTER 685]

AN ACT

For the relief of Thomas H. McLain.

August 16, 1937
[H. R. 5708]
[Private, No. 311]

Thomas H. McLain.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas H. McLain, of Philadelphia, Pennsylvania, the sum of \$2,000, in full satisfaction of his claim against the United States for personal injuries sustained when he was struck by a United States mail

truck near the intersection of Thirty-sixth and Market Streets, Philadelphia, Pennsylvania, on November 27, 1924: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 16, 1937.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 686]

AN ACT

For the relief of William Sullivan.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William Sullivan, of West Islip, Long Island, New York, the sum of \$3,500 in full settlement of all claims against the Government of the United States for personal injuries received by him on April 23, 1936, resulting from being struck by a bullet from a revolver in the hands of a postal employee at the Babylon, Long Island, New York, post office, said injuries to William Sullivan resulting from the accidental discharge of said firearm while being cleaned as part of the routine of official business by said postal employee: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 16, 1937.

August 16, 1937
[H. R. 6010]

[Private, No. 312]

William Sullivan.
Payment to.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 693]

AN ACT

For the relief of the Farmers' Storage and Fertilizer Company, of Aiken, South Carolina.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the statutes of limitation so far as they bar the linters' claim of the Farmers' Storage and Fertilizer Company, of Aiken, South Carolina, now owned by Wesley Johnson, against the United States of America, arising out of contract had with the Government, expiring January 1, 19¹, be, and the same are hereby, waived and revoked.

SEC. 2. That said claimant is hereby authorized to file and have said claim adjudicated by the Court of Claims of the United States: *Provided*, That said claimant shall commence said action within one year after the date of the enactment of this Act.

Approved, August 17, 1937.

August 17, 1937
[H. R. 1770]

[Private, No. 313]

Farmers' Storage
and Fertilizer Com-
pany, linters' claim
Statutes of limita-
tion waived.

Adjudication by
Court of Claims.

Proviso.
Commencement of
action.

¹ So in original.

[CHAPTER 694]

AN ACT

For the relief of Clifford L. Bonn.

August 17, 1937
[H. R. 3192]
[Private, No 314]

Clifford L. Bonn.
Payment to

Proviso
Limitation on attorney's, etc., fees

Penalty for violation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Clifford L. Bonn, of Traverse City, Michigan, the sum of \$4,000 in full settlement of all claims against the United States for damages to him caused by injuries sustained when he slipped and fell on the ice-covered steps of the Traverse City, Michigan, post office on November 30, 1935: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 17, 1937.

[CHAPTER 707]

AN ACT

For the relief of James O. Cook.

August 19, 1937
[S 854]

[Private, No 315]

James O. Cook
Provisions of Employees' Compensation Act extended to.
39 Stat. 746, 747
5 U. S. C. §§ 765-770.

Time for filing claim.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions and limitations of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended and supplemented, are hereby waived in the case of James O. Cook, of Valier, Montana, formerly employed by the Civil Works Administration on the South Marias Hill Project, north of Valier, Montana; and the United States Employees' Compensation Commission is authorized and directed to consider and act upon any claim filed with the Commission, within six months after the date of the enactment of this Act, by said James O. Cook for compensation under the provisions of such Act of September 7, 1916, as amended and supplemented, for disability due to injuries received by him in the performance of his duties during the time he was so employed.

Approved, August 19, 1937.

[CHAPTER 708]

AN ACT

For the relief of Robert Coates.

August 19, 1937
[H. R. 854]

[Private, No. 316]

Robert Coates.
Provisions of Employees' Compensation Act extended to.
39 Stat. 746, 747.
5 U. S. C. §§ 765-770.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitations of time in sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Robert Coates, of Glass, Gloucester County, Virginia, and the United States Employees' Compensation Commission is authorized to receive and consider his claim, under the remaining provisions of said Act, for tuberculosis alleged to have been contracted as a result of his employment on ships of the

Reserve Fleet Division of the United States Shipping Board Merchant Fleet Corporation during the months of October, November, and December 1921; October and November 1923; and October 1924: *Provided*, That claim hereunder shall be filed within six months from the approval of this Act: *Provided further*, That no benefits shall accrue prior to the approval of this Act.

Approved, August 19, 1937.

Provisos.
Time for filing claim.
No prior benefits.

[CHAPTER 709]

AN ACT

For the relief of Wayne M. Cotner.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission be, and is hereby, authorized to consider and determine, in the same manner and to the same extent as if application for the benefits of the Employees' Compensation Act had been made within the one-year period required by sections 17 and 20 thereof, the claim of Wayne M. Cotner, on account of disability due to loss of any ¹ eye, alleged to have been caused by employment in the service of the United States between March 29, 1919, and August 7, 1919: *Provided*, That no benefits shall accrue prior to the approval of this Act: *Provided further*, That claim hereunder shall be filed within six months from the approval of this Act.

Approved, August 19, 1937.

August 19, 1937
[H. R. 1375]
[Private, No. 317]

Wayne M. Cotner.
Disability claim to
be considered.
39 Stat. 746, 747.
5 U. S. C. §§ 767, 770.

Provisos
No prior benefits
Time for filing
claim.

[CHAPTER 710]

AN ACT

For the relief of Ralph Reisler.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ralph Reisler, of New York City, New York, the sum of \$2,500, in full satisfaction of his claim against the United States for the death of his minor son, Ralph Reisler, Junior, who died from injuries sustained when he was struck by a United States mail truck in the Bronx, New York City, on January 21, 1925: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 19, 1937.

August 19, 1937
[H. R. 1690]
[Private, No. 318]

Ralph Reisler.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 711]

AN ACT

For the relief of W. H. Lenneville.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the postal-savings account of W. H. Lenneville.

August 19, 1937
[H. R. 3745]
[Private, No. 319]

W. H. Lenneville.
Credit in postal accounts.

¹ So in original.

ville, postmaster at Dickinson, North Dakota, in the sum of \$504.90, on account of the loss of postal savings funds resulting from the failure of the Dakota National Bank of Dickinson, Dickinson, North Dakota, prior to April 1, 1924.

Approved, August 19, 1937.

[CHAPTER 712]

AN ACT

For the relief of Marian Malik.

August 19, 1937
[H. R. 5622]

[Private, No 320]

Marian Malik.
Payment to.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Marian Malik, Minneapolis, Minnesota, the sum of \$2,000. Such sum shall be in full settlement of all claims against the United States for damages sustained by her as the result of being struck and injured by a truck owned by the United States Coast and Geodetic Survey of the Department of Commerce in Minneapolis, Minnesota, on October 23, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account¹ of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$5,000.

Approved, August 19, 1937.

[CHAPTER 713]

AN ACT

For the relief of Walter G. Anderson.

August 19, 1937
[H. R. 5627]

[Private, No 321]

Walter G. Anderson.
Payment to.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Walter G. Anderson, of Kenton, Michigan, the sum of \$48.40 in full satisfaction of his claim against the United States for mileage and per diem allowance for appearing as a witness, pursuant to orders, before a board of Army officers at Fort Brady, Civilian Conservation Corps district, Sault Saint Marie, Michigan, on July 21, 22, and 23, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 19, 1937.

¹ So in original.

[CHAPTER 714]

AN ACT

For the relief of Edith Jordan.

August 19, 1937
[H. R. 6059]
[Private, No. 322]

Edith Jordan.
Payment to.

Proviso.
Limitation on attorney's etc., fees

Penalty for violation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edith Jordan, of Gatun, Canal Zone, the sum of \$2,500. Such sum shall be in full satisfaction of all claims against the United States for damages resulting from injuries sustained by her on September 16, 1933, while walking across a railroad spur crossing owned or controlled by the Panama Canal, in the city of Gatun, Canal Zone: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 19, 1937.

[CHAPTER 715]

AN ACT

For the relief of Jesse A. LaRue.

August 19, 1937
[H. R. 7172]
[Private, No. 323]

Jesse A. LaRue.
Payment to.

Proviso.
Limitation on attorney's, etc., fees

Penalty for violation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jesse A. LaRue, of Birmingham, Alabama, the sum of \$50 in full satisfaction of his claim against the United States for the value of a typewriter owned by the said Jesse A. LaRue and loaned by him to the Civil Works Administration and which was stolen on January 16, 1934, from a Birmingham (Alabama) project, while in the custody of the Civil Works Administration: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 19, 1937.

[CHAPTER 722]

AN ACT

For the relief of the Rowesville Oil Company.

August 20, 1937
[H. R. 1767]
[Private, No. 324]

Rowesville Oil Company.
Adjustment of claim.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the statutes of limitation so far as they bar the linters claim of the Rowesville Oil Company, now owned by the estate of W. C. Fairey, against the United States of America, arising out of contract had with the Government, expiring July 31, 1919, be, and the same are hereby, waived and revoked.

Adjudication by
Court of Claims.
Provided,
Commencement of
action.

SEC. 2. That said claimant is hereby authorized to file and have said claim adjudicated by the Court of Claims of the United States: *Provided*, That said claimant shall commence said action within one year after the date of the enactment of this bill.

Approved, August 20, 1937.

[CHAPTER 723]

AN ACT

For the relief of the Southern Overall Company.

August 20, 1937
[H. R. 3900]
[Private, No. 326]

Southern Overall
Company
Claim of, referred to
Court of Claims.

Provided
Condition.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the claim of the Southern Overall Company, growing out of proxy-signed contract of November 23, 1917, with the Quartermaster Corps for delivery of jumpers and trousers to the Quartermaster Corps during the World War, is hereby referred to the United States Court of Claims with jurisdiction to hear the same to judgment and with instructions to adjudicate the same upon the basis of the fair and reasonable value at the time of delivery of the jumpers and trousers delivered thereunder not to exceed \$1.36 per garment: *Provided*, That no recovery shall be had unless the court further finds that the delay in delivery was due to no fault of the contractor or to unforeseen causes beyond his control.

Approved, August 20, 1937.

[CHAPTER 724]

AN ACT

For the relief of Fred P. Halbert.

August 20, 1937
[H. R. 827]
[Private, No. 326]

Fred P. Halbert.
Land patent to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a patent conveying all the right, title, and interest of the United States to lot 5, section 16, township 23 north, range 9 west of the Willamette meridian, containing thirty and ninety one-hundredths acres, more or less, according to the Government survey thereof, in Grays Harbor (formerly Chehalis) County, Washington, to Fred P. Halbert.

Approved, August 20, 1937.

[CHAPTER 730]

AN ACT

For the relief of Mary Lucia Haven.

August 21, 1937
[H. R. 7430]
[Private, No. 327]

Mary Lucia Haven.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mary Lucia Haven, widow of Joseph Emerson Haven, late American consul at Florence, Italy, the sum of \$7,900, equal to one year's salary of her deceased husband.

Approved, August 21, 1937.

[CHAPTER 734]

AN ACT

For the relief of Stella Van Dewerker.

August 21, 1937

[H. R. 4489]

[Private, No. 328]

Stella Van Dewerker.
Payment to.*Proviso.*
Limitation on attorney's, etc., fees.

Penalty for violation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$60 to Stella Van Dewerker of Camp Crook, South Dakota, in full satisfaction of her claim against the United States for damages arising out of the loss by her of a horse which died, in November 1934, while being worked, under contract with the owner, by employees of the Forest Service, United States Department of Agriculture, in connection with emergency conservation work: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 21, 1937.

[CHAPTER 740]

AN ACT

To authorize the award of a decoration for distinguished service to Acors Rathbun Thompson.

August 23, 1937

[S. 1918]

[Private, No. 329]

Acors Rathbun Thompson
Award of decoration for distinguished service, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to cause the recommendation for the award of a decoration to Acors Rathbun Thompson, formerly private, Sixty-sixth Company, First Battalion, Fifth Marines, Second Division, American Expeditionary Forces, who, on September 14, 1918, at Jaulny, in the Saint Mihiel sector, France, rescued and carried a wounded comrade through heavy enemy fire to a first-aid station, and who further distinguished himself as a member of a small group, October 4 and 5, 1918, at Blanc Mont Ridge, France, though wounded and constantly exposed to constant enemy machine-gun fire from three sides, was cut off from his main body, repulsed five counter attacks by the enemy, which resulted in the capture of four German officers, two hundred and sixty-eight men, together with eighty-five machine guns in position, some mortars, and a heavy fieldpiece, to be considered by the proper boards or authorities, and such award made to said Thompson as his said conduct merits.

Approved, August 23, 1937.

[CHAPTER 750]

AN ACT

To provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects lost while engaged in emergency relief expeditions during the Ohio Valley flood in January and February 1937.

August 24, 1937

[S. 2647]

[Private, No. 330]

Ohio Valley flood, 1937.
Reimbursement of certain Naval enlisted men for property losses.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$667.80, as may be required by the Secretary of the Navy to reimburse, under

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

such regulations as he may prescribe, enlisted men and former enlisted men of the Navy for the value of personal effects lost while engaged in emergency relief expeditions during the Ohio Valley flood in January and February, 1937: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 24, 1937.

[CHAPTER 751]

AN ACT

For the relief of Rose McGirr.

August 24, 1937
[H. R. 3426]
[Private, No. 331]

Rose McGirr
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Rose McGirr, of New York City, the sum of \$2,500. Such sum shall be in full settlement of all claims against the United States on account of damages sustained by the said Rose McGirr, when she was struck and injured by a motor vehicle of the Prohibition Bureau of the Treasury Department in New York City on May 16, 1929: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 24, 1937.

[CHAPTER 782]

AN ACT

For the relief of Lucille McClure.

August 25, 1937
[S. 707]
[Private, No. 332]

Lucille McClure
Claim to be considered.

39 Stat. 742.
5 U. S. C. §§ 751-796.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider the claim of Lucille McClure, of Spokane, Washington, widow of a former deputy administrator of prohibition, H. S. McClure, whose death occurred on January 15, 1929, allegedly as a result of injuries sustained by him while in the performance of his duties, under the provisions of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for

other purposes", approved September 7, 1916, as amended, except that the limitations of time in sections 15 to 20 thereof, both inclusive, are hereby waived: *Provided*, That claim hereunder shall be filed within six months from the date of the approval of this Act: *Provided further*, That no benefits shall accrue prior to the approval of this Act.

Approved, August 25, 1937.

Time limitation
waived.

Provisos.
Time for filing
claim.
No prior benefits

[CHAPTER 783]

AN ACT

For the relief of F. P. Delahanty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of Lieutenant Commander F. P. Delahanty, Supply Corps, United States Navy, with the sum \$820.80, representing the amount of payments made by him in good faith to Lieutenant Commander C. K. Osborne, United States Navy, for rental and subsistence allowance of his dependent mother during the period July 1 to December 31, 1923.

Approved, August 25, 1937.

August 25, 1937

[S. 772]

[Private, No. 333]

Lt. Comdr. F. P.
Delahanty.
Credit in accounts.

[CHAPTER 784]

AN ACT

For the relief of Mrs. Charles T. Warner.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider the claim of Mrs. Charles T. Warner, of Tulsa, Oklahoma, widow of Charles T. Warner, who sustained injuries in December 1932 in the performance of his duties as a deputy United States marshal from which he is alleged to have died in May 1935, under the provisions of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, except that the limitations of time in sections 15 to 20 thereof, both inclusive, are hereby waived: *Provided*, That claim hereunder shall be filed within six months from the approval of this Act: *Provided further*, That no benefits shall accrue prior to the approval of this Act.

Approved, August 25, 1937.

August 25, 1937

[S. 1637]

[Private, No. 334]

Mrs. Charles T.
Warner.
Claim of, to be
considered

39 Stat 742.
5 U. S. C. §§ 751-
796.

Provisos.
Time for filing
claim.
No prior benefits.

[CHAPTER 785]

AN ACT

For the relief of Ruth Gaskins.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,396.55 to Ruth Gaskins, of Monogah, West Virginia, in full settlement of all her claims against the United States for damages resulting from personal injuries received by her on the night of November 27, 1935, when she fell into an open, unguarded, unmarked, and unlighted hole in the sidewalk, such hole having been caused by

August 25, 1937

[S. 1764]

[Private, No. 335]

Ruth Gaskins.
Payment to.

Proviso.
Limitation on
attorney's, etc., fees

Penalty for viola-
tion.

the failure of Works Progress Administration employees properly to repair an opening they had made in said sidewalk: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 25, 1937.

[CHAPTER 786]

AN ACT

For the relief of Carl E. Padgett.

August 25, 1937
[S. 1810]

[Private, No. 336]

Carl E. Padgett
Provisions of Em-
ployees' Compensa-
tion Act extended to.
39 Stat. 746, 747
5 U. S. C. §§ 765-770.

Time for filing
claim.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the requirements of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in the case of Carl E. Padgett, of Kansas City, Missouri, formerly employed as a ward attendant, United States Veterans' Hospital, Kansas City, Missouri, and the United States Employees' Compensation Commission is authorized and directed to consider and act upon any claim filed by him under the provisions of such Act, as amended, within six months after the date of enactment of this Act, for compensation for disability alleged to have resulted from tuberculosis contracted by him between August 22, 1930, and May 22, 1931, while in the performance of his duties as such employee; but compensation, if any, shall be paid from and after the date of enactment of this Act.

Approved, August 25, 1937.

[CHAPTER 787]

AN ACT

For the relief of Mrs. Cliff Snider and W. M. Jordan.

August 25, 1937
[S. 1865]

[Private, No. 337]

Mrs. Cliff Snider
and W. M. Jordan.
Payment to

Proviso.
Limitation on
attorney's, etc., fees.

Penalty for viola-
tion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Mrs. Cliff Snider, of Smithville, Georgia, the sum of \$10,000, and to W. M. Jordan, of Smithville, Georgia, the sum of \$3,225, in full satisfaction of all claims against the United States for personal injuries sustained by them, and the death of Cliff Snider, husband of Mrs. Cliff Snider, sustained when the automobile in which they were riding was struck by a Government truck operated in connection with the Civilian Conservation Corps, on the Americus-Andersonville Highway, about eight miles north of Americus, Georgia, on October 25, 1936: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 25, 1937.

[CHAPTER 788]

AN ACT

For the relief of Sue F. Melton.

August 25, 1937

[S. 2152]

[Private, No. 338]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, the United States Employees' Compensation Commission be, and the same is hereby, authorized and directed to receive and consider, when filed, the claim of Sue F. Melton on account of the death of her daughter, Mattie Ruth Melton, on March 10, 1934, as a result of personal injuries sustained while in the performance of her official duties as district home-demonstration agent of the United States Department of Agriculture, and to determine said claim upon its merits under the provisions of the said Act: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Sue F. Melton.
Provisions of Em-
ployees' Compensation
Act extended to.
39 Stat. 746, 747.
5 U. S. C. §§ 765-
770.

Proviso
No prior benefits.

Approved, August 25, 1937.

[CHAPTER 789]

AN ACT

For the relief of W. G. Adams.

August 25, 1937

[S. 2241]

[Private, No. 339]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to W. G. Adams the sum of \$500 in full satisfaction for his claim against the United States for damages arising out of personal injuries suffered when he was struck by a Civilian Conservation Corps truck, near Flagstaff, Arizona, on September 8, 1936: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

W. G. Adams.
Payment to.

Proviso.
Limitation on
attorney's, etc., fees.

Penalty for viola-
tion.

Approved, August 25, 1937.

[CHAPTER 790]

AN ACT

For the relief of Park B. Brandon and Robert G. Teer.

August 25, 1937

[S. 2262]

[Private, No. 340]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Park B. Brandon, of Braman, Oklahoma, the sum of \$3,500, and to Robert G. Teer, of Braman, Oklahoma, the sum of \$248.49, in full

Park B. Brandon
and Robert G. Teer.
Payment to.

Provido.
Limitation on attorney's, etc., fees.

Penalty for violation

settlement of any and all claims against the Government for injuries sustained as a result of an accident involving a Government truck operated in connection with the Civilian Conservation Corps at Blackwell, Oklahoma, on November 2, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 25, 1937.

[CHAPTER 791]

AN ACT

For the relief of Robert L. Summers.

August 25, 1937
[S. 2317]
[Private, No. 341]

Robert L. Summers
Reenlistment in the
Army.
R. S. § 1118
10 U. S. C. § 622.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 1118, Revised Statutes, the Secretary of War is hereby authorized to reenlist in the United States Army Robert L. Summers, Medical Department, Fort Sill, Oklahoma, at the expiration of the said Robert L. Summers' present period of enlistment on November 12, 1937, and on such future dates as the said Robert L. Summers may make application for reenlistment.

Approved, August 25, 1937.

[CHAPTER 792]

AN ACT

For the relief of Leah P. Rice.

August 25, 1937
[S. 2487]
[Private, No. 342]

Leah P. Rice
Credit in postal
accounts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States is hereby authorized and directed to allow credit in the accounts of Leah P. Rice, former postmaster at Harrison, Nebraska, in the amount of \$172.55, representing funds lost in the failure of the First National Bank of Harrison, Nebraska, February 5, 1924.

Approved, August 25, 1937.

[CHAPTER 793]

AN ACT

For the relief of Genevieve E. Daley.

August 25, 1937
[H. R. 345]
[Private, No. 343]

Genevieve E. Daley
Provisions of Employees' Compensation Act extended to
39 Stat. 746, 747.
5 U. S. C. §§ 765-770.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the limitations of time in sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider, when filed, the claim of Genevieve E. Daley, of Cazenovia, New York, for tuberculosis allegedly incurred by her while a student nurse of the Army School of Nursing, Walter Reed General Hospital, Washington, District of Columbia, in August 1931, and to determine said claim upon

its merits: *Provided*, That no benefits shall accrue prior to the enactment of this Act: *Provided further*, That the claim hereunder shall be filed within six months after the enactment of this Act.

Approved, August 25, 1937.

Proviso.
No prior benefits
Time for filing
claim.

[CHAPTER 794]

AN ACT

For the relief of Earl Hill.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Earl Hill, of Clarksville, Arkansas, the sum of \$3,500, in full satisfaction of his claim against the United States for permanent personal injury received when he was struck by a Civilian Conservation Corps truck as it passed the truck in which he was a passenger on State Highway Numbered 7, between Clarksville and Cowell, Arkansas, August 4, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 25, 1937.

August 25, 1937
[H. R. 449]
[Private, No. 344]

Earl Hill.
Payment to.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 795]

AN ACT

For the relief of Mada Landtiser.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mada Landtiser, of Malcom, Poweshiek County, Iowa, the sum of \$2,000, in full settlement of all claims against the United States for personal injuries sustained by her when the vehicle in which she was a passenger was struck by an Emergency Conservation Work truck of the Department of Agriculture, on September 15, 1934, near Traer, Iowa: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 25, 1937.

August 25, 1937
[H. R. 595]
[Private, No. 345]

Mada Landtiser
Payment to.

Proviso
Limitation on attorney's, etc., fees

Penalty for violation

[CHAPTER 796]

AN ACT

For the relief of Paul and A. B. Johnson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to

August 25, 1937
[H. R. 2192]
[Private, No. 346]

Paul and A. B.
Johnson
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Condition.

the legal guardian of Paul Johnson, a minor, of Hampton, Tennessee, the sum of \$750, and to A. B. Johnson, of Hampton, Tennessee, his father, the sum of \$250, in full settlement of all claims against the United States, as a result of personal injuries sustained by Paul Johnson when he was struck by a Forest Service truck, driven by said Fred A. Baker, an employee of the Civilian Conservation Corps, on State Highway Numbered 67, near Hampton, Tennessee, on September 25, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000: *Provided further*, That no moneys appropriated herein shall be paid until any judgment obtained by the claimants herein against any Government officer or employee as a result of the accident described herein shall have been satisfied of record.

Approved, August 25, 1937.

[CHAPTER 797]

AN ACT

August 25, 1937

[H. R. 2657]

[Private, No 347]

Authorizing the Secretary of the Navy to advance on the retired list of the Navy David J. Mahoney, David Bolger, Cleve B. Farran, James Johnson, and Hans Terkelsen, retired, to chief boilermaker, retired.

David J. Mahoney
and others.
Advancement on retired list, Navy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized to advance on the retired list of the Navy David J. Mahoney, David Bolger, Cleve B. Farran, James Johnson, and Hans Terkelsen, boilermakers, retired, to the rating of chief boilermaker (permanent appointment), retired, with pay and allowances of that rating: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Proviso.
No back pay, etc.

Approved, August 25, 1937.

[CHAPTER 798]

AN ACT

August 25, 1937

[H. R. 2994]

[Private, No 348]

For the relief of Lamar Snipes and Luther S. Snipes.

Lamar Snipes and
Luther S. Snipes.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Lamar Snipes, of Tupelo, Mississippi, the sum of \$300, and to Luther S. Snipes, of Tupelo, Mississippi, the sum of \$200, in full settlement of all claims against the United States for personal injuries sustained by Lamar Snipes, and his expenses and losses incident thereto, when the truck he was driving was struck, on September 26, 1935, by a vehicle in the service of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 25, 1937.

[CHAPTER 799]

AN ACT

Conferring jurisdiction upon the United States District Court for the District of New Jersey to hear, determine, and render judgment upon the claim of the Delaware Bay Shipbuilding Company, Incorporated.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the United States District Court for the District of New Jersey to hear, determine, and render judgment, as if the United States were suable in tort, upon the claim of the Delaware Bay Shipbuilding Company, Incorporated, of Leesburg, New Jersey, for damages to its marine railway in the Maurice River, at Leesburg, New Jersey, allegedly by reason of being struck by United States Coast Guard patrol boat CG-227, on November 6, 1931: *Provided*, That the United States shall be permitted to file, and the said court shall hear and determine, any counterclaim or set-off as the result of alleged damage to United States Coast Guard patrol boat CG-227 by reason of striking said marine railway of the Delaware Bay Shipbuilding Company, Incorporated.

SEC. 2. Suit upon such claim may be instituted at any time within one year after the enactment of this Act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claim, appeals therefrom, and payment of any judgment thereon shall be in the same manner as in the cases over which such court has jurisdiction under the provisions of paragraph twentieth of section 24 of the Judicial Code, as amended.

Approved, August 25, 1937.

August 25, 1937

[H. R. 3276]

[Private, No. 349]

Delaware Bay Shipbuilding Company, Inc.
Claim of, referred to district court.

Proviso.
Counterclaim.

Institution of suit.

Proceedings, etc.

28 U. S. C. §41 (20).

[CHAPTER 800]

AN ACT

For the relief of Hans Everson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, the sum of \$3,500 to Hans Everson, Phillips, Wisconsin, in full settlement of all claims against the Government of the United States for personal injuries suffered by him on February 12, 1935, when the sleigh on which he was riding was struck by a United States Civilian Conservation Corps truck, on County Highway E, Price County, Wisconsin: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 25, 1937.

August 25, 1937

[H. R. 3551]

[Private, No. 350]

Hans Everson.
Payment to

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 801]

AN ACT

For the relief of Norman E. Sherman and Banks W. Smith.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to

August 25, 1937

[H. R. 4506]

[Private, No. 351]

Norman E. Sherman and Banks W. Smith.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Norman E. Sherman and Banks W. Smith, operating under the name of California Flyers, at Los Angeles Municipal Airport, Inglewood, California, the sum of \$3,500, in full settlement of all claims against the United States on account of damages sustained by Waco Cabin Airplane NC12456 on the 5th day of September 1936 caused by collision with Navy Plane F4B4, numbered 9018, at Los Angeles Municipal Airport, Inglewood, California: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 25, 1937.

[CHAPTER 802]

AN ACT

For the relief of Arthur T. Worley.

August 25, 1937
[H R 4583]
[Private, No 352]

Arthur T. Worley
Provisions of Employees' Compensation Act extended to.
39 Stat. 746, 747
5 U S C. §§ 765-770.

Time for filing notice, etc.

Proviso
No prior benefits.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitations of time in sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., title 5, secs. 767, 770), are hereby waived in favor of Arthur T. Worley, of Saint Petersburg, Florida, who is alleged to have sustained an injury on December 15, 1933, while employed at the Veterans' Administration Facility at Bay Pines, Florida, which injury is alleged to have resulted in continuing physical disability, and his case is authorized to be considered and acted upon under the remaining provisions of such Act, as amended, if he files a notice of such injury and claim for compensation with the United States Employees' Compensation Commission not later than six months after the enactment of this Act: *Provided*, That no benefits shall accrue prior to the approval of this Act.

Approved, August 25, 1937.

[CHAPTER 803]

AN ACT

For the relief of Henry Clay Gibson.

August 25, 1937
[H R 4622]
[Private, No. 353]

Henry Clay Gibson.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Henry Clay Gibson, of Delhi, Louisiana, the sum of \$186.25, in full satisfaction of his claim against the United States for costs wrongfully assessed against him as the result of an appeal taken by the United States from a judgment of the United States District Court for the Western District of Louisiana in favor of said Henry Clay Gibson, which appeal was later withdrawn by the United States for lack of merit: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any

contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Penalty for violation.

Approved, August 25, 1937.

[CHAPTER 804]

AN ACT

To provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects lost, damaged, or destroyed during the hurricane in Samoa on January 15, 1931.

August 25, 1937

[H. R. 4688]

[Private, No. 354]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$440.15, as may be required by the Secretary of the Navy to reimburse, after claimants shall have filed itemized statements showing actual damages sustained, by proper appraisal, and under such regulations as he may prescribe, enlisted men or former enlisted men of the Navy, for the value of personal effects lost, damaged, or destroyed as a result of a hurricane which struck Ofu and Ta'u, Samoa, on January 15, 1931: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Navy
Payment of private property losses, Samoa hurricane.

Proviso
Limitation on attorney's, etc., fees

Penalty for violation.

Approved, August 25, 1937.

[CHAPTER 805]

AN ACT

To provide an additional sum for the payment of claims under the Act entitled "An Act to provide for the reimbursement of certain officers and enlisted men or former officers and enlisted men of the Navy and Marine Corps for personal property lost, damaged, or destroyed as a result of the earthquake which occurred at Managua, Nicaragua, on March 31, 1931", approved January 21, 1936 (49 Stat. 2212).

August 25, 1937

[H. R. 4689]

[Private, No. 355]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$3,144.35, as may be required by the Secretary of the Navy to reimburse, after claimants shall have filed itemized statements showing actual damages sustained by proper appraisal, and under such regulations as he has or may prescribe pursuant to the provisions of the Act approved January 21, 1936 (49 Stat. 2212), Private Law Numbered 373, Seventy-fourth Congress, the persons hereafter named, in sums not exceeding the amounts set forth, for losses of and damages to reasonable and necessary personal property resulting from the earthquake which occurred at Managua, Nicaragua, on March 31, 1931: Mrs. Alice V. Baske, widow of the late Lieutenant Commander Hugo F. A. Baske, Medical Corps, United States Navy,

Navy and Marine Corps.
Reimbursement of designated persons for personal property losses, Nicaragua earthquake, 1931.

49 Stat. 2212.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation

\$2,573; Radio Electrician Mack C. Veltman, United States Navy, \$42.75; Harry Marion Mayfield, Chief Pharmacist's Mate, United States Navy, \$850; Captain Charles L. Fike, United States Marine Corps, \$528.60; in all, \$3,144.35: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 25, 1937.

[CHAPTER 806]

AN ACT

For the relief of Paul H. Norboe.

August 25, 1937
[H. R. 4875]

[Private, No. 356]

Paul H. Norboe
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Paul H. Norboe, of San Rafael, California, the sum of \$2,500 in full satisfaction of his claim against the United States for an award to him by the United States District Court for the Northern District of California as 15 per centum of the amount recovered from the forfeiture of bail bonds in the case of the United States of America versus Mon Kee Lee, Lim Bok Young, Liu Sang, and Liung Sui Chun in the United States District Court for the Northern District of California, for original information furnished by him on November 9, 1934, to customs officers concerning a violation of the customs laws which resulted in the seizure of two pounds of morphine and the conviction of the above-named defendants: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 25, 1937.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 807]

AN ACT

For the relief of Charlotte Sweeney, a minor, Howard Sweeney, a minor, William Hintz, and Martha Hintz.

August 25, 1937
[H. R. 4930]

[Private, No. 357]

Charlotte Sweeney
and others
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Charlotte Sweeney, a minor, of Baltimore, Maryland, the sum of \$750; to the legal guardian of Howard Sweeney, a minor, of Baltimore, Maryland, the sum of \$750; to William Hintz, of Baltimore, Maryland, the sum of \$1,675; and to Martha Hintz, of

Baltimore, Maryland, the sum of \$1,500; in all, \$4,675, in full settlement of their claims against the United States for personal injuries and property damage sustained by them as a result of a collision between the car in which they were riding, belonging to William Hintz, and a Coast Guard truck, said collision occurring on July 16, 1936, at Curtis Bay, Maryland: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 25, 1937.

[CHAPTER 808]

AN ACT

For the relief of Frank Lee Borney.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$500 to Frank Lee Borney, in full settlement of all claims for damages against the Government of the United States for injuries sustained by the said Frank Lee Borney by reason of the explosion of a dynamite cap negligently left by Civil Works Administration workers where they were building a road near Red Oak, Texas, on or about February 23, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

August 25, 1937
[H. R. 5112]
[Private, No. 358]

Frank Lee Borney.
Payment to.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 25, 1937.

[CHAPTER 809]

AN ACT

For the relief of Anne E. Felix.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Anne E. Felix, of Pittsburgh, Pennsylvania, the sum of \$2,000 in full satisfaction of her claim against the United States for expenses incurred as contestant in connection with preparation and prosecution of the election-contest case of Anne E. Felix versus Michael J. Muldowney for the seat from the Thirty-second Congressional District of the State of Pennsylvania in the Seventy-third Congress, as authorized by the Act of March 3, 1879 (U. S. C., title 2, sec. 226), a full and detailed account of such expenses having been properly filed with the clerk of the Committee on Elections Numbered 2, in accordance with

August 25, 1937
[H. R. 5495]
[Private, No. 359]

Anne E. Felix.
Payment of contested-election expenses.

20 Stat. 400.
2 U. S. C. § 226.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

the provisions of the Act hereinbefore recited: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 25, 1937.

[CHAPTER 810]

AN ACT

For the relief of Carolina Maldonado.

August 25, 1937
[H. R. 5846]
[Private, No. 360]

Carolina Maldonado
Payment to.

Proviso
Limitation on attorney's, etc., fees

Penalty for violation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Carolina Maldonado, of Socorro, Texas, the sum of \$3,500, in full satisfaction of her claim against the United States for injuries received while riding in automobile which was struck by Government truck numbered 33799 operated in connection with the Civilian Conservation Corps near Ysleta, Texas, on June 22, 1936: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 25, 1937.

[CHAPTER 811]

AN ACT

For the relief of Sadie N. Pike and Edward W. Pike.

August 25, 1937
[H. R. 6155]
[Private, No. 361]

Sadie N. and Edward W. Pike
Provisions of Employees' Compensation Act extended to
39 Stat. 746, 747.
5 U. S. C. §§ 765-770.

Proviso
Claims of dependent minor brothers and sister.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitations of time in sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended by sundry Acts, including the Act of February 15, 1934, are hereby waived, and the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider the claim of Sadie N. Pike and Edward W. Pike, of Greenville, South Carolina, for compensation for the death of their son, Edward G. Pike, resulting from injuries sustained in line of duty as an enrollee of the Civilian Conservation Corps in Company 461, Camp SC P-62, Kingstree, South Carolina, on December 5, 1933: *Provided*, That the United States Employees' Compensation Commission is also hereby authorized to receive and consider claims for compensation by the said Sadie N. Pike and Edward W. Pike on behalf of the dependent minor brothers and sister of Edward G. Pike.

Approved, August 25, 1937.

[CHAPTER 812]

AN ACT

For the relief of Helen Niehaus.

August 25, 1937

[H. R. 6316]

[Private, No. 362]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized and directed to pay, out of the current appropriation for "Pay, Subsistence and Transportation, Navy", to Helen Niehaus, of Newport, Kentucky, mother of John Albert Niehaus, late coxswain, United States Navy, who died on October 3, 1930, at the Naval Hospital, Mare Island, California, a sum equal to six months' pay at the rate received by John Albert Niehaus at the time of his death: *Provided*, That Helen Niehaus shall first establish to the satisfaction of the Secretary of the Navy that she was actually dependent upon her son, John Albert Niehaus, at the time of his death, and the determination of such fact by the Secretary of the Navy shall be final and conclusive upon the accounting offices of the Government.

Helen Niehaus.
Navy gratuity pay,
for death of son.
Ante, p. 104.

Proviso
Dependence to be
established

Approved, August 25, 1937.

[CHAPTER 813]

AN ACT

To authorize the cancelation of deportation proceedings in the case of John Grinwood Taylor.

August 25, 1937

[H. R. 6468]

[Private, No. 363]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Labor is hereby authorized and directed to cancel the outstanding order and warrant of deportation issued pursuant to section 14 of the Immigration Act of 1924 (43 Stat. 153, sec. 214) in the case of John Grinwood Taylor, any provision of existing law to the contrary notwithstanding. From and after the date of the approval of this Act, John Grinwood Taylor shall not again be subject to deportation by reason of the same fact upon which the outstanding proceedings rest.

John Grinwood
Taylor.
Deportation order
canceled

43 Stat. 162.
8 U. S. C. § 214.

Approved, August 25, 1937.

[CHAPTER 814]

AN ACT

For the relief of Ragsdale and Knauss.

August 25, 1937

[H. R. 6996]

[Private, No. 364]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ragsdale and Knauss, a shorthand reporting partnership doing business in Washington, District of Columbia, the sum of \$799, in full satisfaction of its claim against the United States for stenographically reporting and transcribing hearings before a special investigating committee of the Federal Power Commission, the General Accounting Office having disallowed payment thereof on the ground that there was no authority of law under which such payment could be made: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Ragsdale and
Knauss.
Payment to.

Proviso.
Limitation on attor-
ney's, etc., fees.

Penalty for viola-
tion.

Approved, August 25, 1937.

[CHAPTER 835]

AN ACT

For the relief of Lula G. Sutton and others.

August 26, 1937

[S. 180]

[Private, No. 365]

Lula G. Sutton and
others.
Payment to.

Proviso
Limitation on attor-
ney's, etc., fees.

Penalty for viola-
tion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Lula G. Sutton, of Linden, Alabama, the sum of \$2,000; to R. E. Sutton, of Linden, Alabama, the sum of \$500; to Grace Sutton, of Linden, Alabama, the sum of \$500; and to Mary Lou Drinkard, of Linden, Alabama, the sum of \$1,500, in full settlement of all claims of said parties against the Government for personal injuries sustained by them on the 22d day of December 1933, when the car in which they were traveling was struck by Civilian Conservation Corps pick-up truck near Orrville, Alabama: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 26, 1937.

[CHAPTER 836]

AN ACT

For the relief of John T. Armstrong.

August 26, 1937

[S. 703]

[Private, No. 366]

John T. Armstrong.
Provisions of Em-
ployees' Compensa-
tion Act extended to
39 Stat. 746, 747.
5 U. S. C. §§ 765, 770.

Time for filing
claim.

Proviso
No prior benefits.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions and limitations of sections 15 and 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, the United States Employees' Compensation Commission be, and the same is hereby, authorized and directed to receive and consider, if filed within six months after the enactment of this Act, the claim of John T. Armstrong, of Havre de Grace, Maryland, for disability alleged to have been incurred by him during June 1930, while in the employment of the Chemical Warfare Service, Edgewood Arsenal, and to determine said claim upon its merits under the provisions of said Act: *Provided*, That no benefits shall accrue prior to the enactment of this Act.

Approved, August 26, 1937.

[CHAPTER 837]

AN ACT

For the relief of John A. Flagg.

August 26, 1937

[S. 869]

[Private, No. 367]

John A. Flagg.
Military record cor-
rected.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the pension laws or any laws conferring rights, privileges, or benefits upon persons who have served in the military forces of the United States the period spent by John A. Flagg as mess sergeant, Company G, Ninth Regiment Massachusetts Volunteer Infan-

try, from March 25, 1917, to July 25, 1917, shall be included in computing the time spent by said John A. Flagg in active service in the United States Army: *Provided*, That no back pay, pension, bounty, benefit, or other emolument shall be held to have accrued prior to the passage of this Act, except for the period March 25, 1917, to July 25, 1917, inclusive.

Approved, August 26, 1937.

Proviso.
No back pay, etc.

[CHAPTER 838]

AN ACT

For the relief of William A. Devine.

August 26, 1937
[S. 1548]

[Private, No 368]

William A. Devine.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Civil Service Commission is authorized and directed to pay, out of the civil-service retirement and disability fund, to William A. Devine, formerly postmaster at Madison, Wisconsin, the sum of \$812.23, in full satisfaction of his claim against the United States for the payment made by him on October 2, 1926, to such fund for the purpose of receiving service credit for the time from August 1, 1920, to June 30, 1926, when, in fact, he was entitled to the maximum benefits of the civil-service retirement laws without making such payment: *Provided*, That no part of the amount refunded in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso
Limitation on attorney's, etc., fees

Penalty for violation.

Approved, August 26, 1937.

[CHAPTER 839]

AN ACT

For the relief of James A. Lyons.

August 26, 1937
[S. 1965]

[Private, No 369]

James A. Lyons
Payment of unpaid amount of court judgment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to James A. Lyons, of Roanoke, Virginia, the sum of \$2,000, in full settlement of all claims against the United States for the unpaid amount of a judgment for \$6,000 (\$4,000 of which has been paid by Safety Motor Transit Corporation), entered on January 25, 1936, in the District Court of the United States for the Western District of Virginia, at Roanoke, Virginia, in the case of "James A. Lyons against Thomas Bailey and Safety Motor Transit Corporation", against Thomas Bailey and Safety Motor Transit Corporation, for and on account of injuries sustained by him on the 21st day of June 1934 while a passenger on a bus of the said Safety Motor Transit Corporation when the said bus collided with an automobile driven by Thomas Bailey, investigator, Alcohol Tax Unit, Bureau of Internal Revenue, Treasury Department, who was engaged in the performance of his official duties as an internal-revenue officer: *Provided*, That the clerk of the United States District Court for the Western District of Virginia is hereby authorized and directed to satisfy, of record, the said judg-

Proviso
Satisfaction of judgment.

Limitation on attorney's, etc., fees.

Penalty for violation.

ment of James A. Lyons against Thomas Bailey: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 26, 1937.

[CHAPTER 840]

AN ACT

For the relief of Hattie Tolbert.

August 26, 1937
[S 2154]

[Private, No 370]

Hattie Tolbert
Payment to.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to Hattie Tolbert, of Pensacola, Florida, the sum of \$2,500 in full satisfaction of her claim against the United States for the death of her mother, Mary Goode, and her sister, Irma Dean, on March 1, 1921, on account of being struck by United States Navy (N-10) seaplane (A-2458) while piloted negligently low on the shore line of Pensacola Bay near Muskogee wharf, Pensacola, Florida: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 26, 1937.

[CHAPTER 841]

AN ACT

For the relief of R. F. Lassly.

August 26, 1937
[S 2476]

[Private, No 371]

R. F. Lassly
Credit in accounts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of R. F. Lassly, former chief disbursing clerk, Department of the Interior, for the payment of \$30 to D. W. Robinson, Junior, of Columbia, South Carolina, for the preparation of a legal opinion at the request of the South Carolina State Advisory Board for the Public Works Administration on the application of the town of Summerton, South Carolina, for a loan from the Federal Emergency Administration of Public Works, and for the payment of \$75 to J. M. Cantey, Junior, of Columbia, South Carolina, for the preparation of a legal opinion at the request of the South Carolina State Advisory Board for the Federal Emergency Administration of Public Works, on the application of the city of Columbia, South Carolina, for a loan from the Federal Emergency Administration of Public Works, which payments were made by vouchers numbered 7127 and 7128, respectively, and disallowed by the Comptroller General of the United States.

Approved, August 26, 1937.

[CHAPTER 842]

AN ACT

For the relief of Max D. Ordmann.

August 26, 1937

[S. 2699]

[Private, No. 372]

Max D. Ordmann.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of the moneys held in the Treasury of the United States in alien property trust numbered 39868, in the name of "Robert Zahn, deceased, Reichtsenwalt Rietzel, executor and Vogtlandische Maschinen Fabrik", otherwise known as Vogtlandische Maschinen-Fabrik and Alfred Rietzsch, as administrator of Robert Zahn, deceased, the sum of \$6,587.60, together with interest thereon at the rate of 6 per centum per annum from and after September 18, 1934, to Max D. Ordmann, in full settlement of all claims against the United States for legal services rendered to the said Robert Zahn, deceased, Reichtsenwalt Rietzel, executor, and Vogtlandische Maschinen Fabrik, otherwise known as Vogtlandische Maschinen-Fabrik and Alfred Rietzsch, as administrator of Robert Zahn, deceased: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Promiso
Limitation on attorney's, etc., fees

Penalty for violation

Approved, August 26, 1937.

[CHAPTER 843]

AN ACT

For the relief of Vincent Ford.

August 26, 1937

[S. 2866]

[Private, No. 373]

Vincent Ford
Payment to

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Vincent Ford, second lieutenant, Inactive Reserve, of Alhambra, California, the sum of \$943.67 in full satisfaction of his claim against the United States for a continuation of his pay and allowances as such officer from October 16, 1933, to April 15, 1934, alleged by the War Department to be due him for personal injuries sustained in line of active duty, under the provisions of the Act of April 26, 1928 (45 Stat. 461), claim therefor having been disallowed by the Comptroller General of the United States: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

45 Stat. 461.
10 U S C § 451

Promiso
Limitation on attorney's, etc., fees

Penalty for violation

Approved, August 26, 1937.

[CHAPTER 844]

AN ACT

For the relief of the Derby Oil Company.

August 26, 1937
[H. R. 459]

[Private, No 374]

Derby Oil Com-
pany
Payment to.*Proviso*
Limitation on attor-
ney's, etc., feesPenalty for viola-
tion

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Derby Oil Company, Wichita, Kansas, the sum of \$445.20, in full satisfaction of its claim against the United States for furnishing gasoline to the quartermaster, Fort Riley, Kansas, under item 123 (a), contract TPS 9477, dated December 10, 1935, during the period January 1 to March 31, 1936, covering the loss sustained through its clerical error in calculating the freight rate on gasoline shipped from the Derby Oil Company's bulk plant at Wichita, Kansas, to destination: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 26, 1937.

[CHAPTER 845]

AN ACT

For the relief of Rosolino Zamito and Maria Zamito.

August 26, 1937
[H. R. 518]

[Private, No 375]

Rosolino Zamito
and Maria Zamito.
Payment to.*Proviso*
Limitation on attor-
ney's, etc., fees.Penalty for viola-
tion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, jointly to Rosolino Zamito and Maria Zamito, of Buffalo, New York, the sum of \$1,000, in full satisfaction of their claims against the United States for the value of two bonds deposited by the National Surety Company, in January 1921, with claimants as indemnitors, to secure the deportation of Francesca and Cologero Incardone, after a decision by immigration officials that they were not entitled to entry in the United States; and forfeited on August 11, 1922, when the said Cologero and Francesca Incardone failed to depart from the United States, although, by subsequent decision of the Labor Department, the said Incardones were entitled to admission in December 1920, when they returned to the United States from a temporary absence abroad: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 26, 1937.

[CHAPTER 846]

AN ACT

For the relief of Charles E. Names.

August 26, 1937
[H. R. 1858]

[Private, No. 376]

Charles E. Names.
Payment to.*Provides*
Cancellation of settlement warrant.

Limitation on attorney's, etc., fees.

Penalty for violation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles E. Names the sum of \$225, in full settlement of all claims against the United States for the loss of an article of mail registered at the Osceola (Iowa) post office on April 29, 1920, which contained certain abstracts of title to lands owned by the said Charles E. Names. The postmaster at such post office was held responsible for the full amount of the loss, but the amount of the judgment recovered against him was inadvertently covered into the general fund of the Treasury as "Fines, penalties, and forfeitures", and the said Charles E. Names has never been reimbursed for the cost of new abstracts of title: *Provided*, That the Comptroller General of the United States is hereby authorized and directed to cancel post office settlement warrant numbered 10581 in favor of Banta and Banta (E. G. Banta, successor), Osceola, Iowa, in the sum of \$50: *Provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 26, 1937.

[CHAPTER 847]

AN ACT

For the relief of Oliver Z. Hoge.

August 26, 1937
[H. R. 2195]

[Private, No. 377]

Oliver Z. Hoge.
Payment to.*Provides*
Limitation on attorney's, etc., fees

Penalty for violation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Oliver Z. Hoge, of Staunton, Virginia, the sum of \$1,500, in full settlement of all claims against the United States for damages sustained by him as the result of personal injuries received in a fall, on September 19, 1936, down an unprotected and unlighted outside stairway at the rear of the post-office building in Staunton, Virginia: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 26, 1937.

[CHAPTER 848]

AN ACT

For the relief of Florida O. McLain, widow of Calvin E. McLain.

August 26, 1937
[H. R. 2229]

[Private, No. 378]

Florida O. McLain
Payment to.*Proviso*
Limitation on attorney's, etc., fees

Penalty for violation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, and in full settlement of all claims against the United States, the sum of \$5,000 to Florida O. McLain, widow of Calvin E. McLain, who died as a result of injuries by reason of being struck by a truck which was being recklessly driven by an employee of the Government Civilian Conservation Corps in the city of Knoxville, Tennessee, on August 23, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 26, 1937.

[CHAPTER 849]

AN ACT

For the relief of Orba Caress.

August 26, 1937
[H. R. 2339]

[Private, No. 379]

Orba Caress
Payment to*Proviso*
Limitation on attorney's, etc., fees.

Penalty for violation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Orba Caress, of Woodward, Oklahoma, the sum of \$196, in full settlement of all claims against the United States for losses incurred in preparing, in November 1935, by the purchase of equipment and otherwise, to perform service under the contract to be awarded him for carrying the mail on Star Route Numbered 53992, Woodward to Forgan, Oklahoma, for a period of thirty days, the award of such contract having been revoked before any service was performed thereunder: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 26, 1937.

[CHAPTER 850]

AN ACT

For the relief of Jerome H. Howard.

August 26, 1937
[H. R. 2451]

[Private, No. 380]

Jerome H. Howard
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated,

to Jerome H. Howard, of Harrisburg, Illinois, the sum of \$859.86 in full settlement of all claims against the United States for damage to his truck as a result of a collision with an Army truck on United States Highway Numbered 50, near Glenview, Illinois, on November 18, 1935: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1937.

[CHAPTER 851]

AN ACT

For the relief of Bertha L. Frank.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Bertha L. Frank, sister of Edward P. Frank, deceased, of the city of New York, the sum of \$234.50, in full settlement of her claim for funeral expenses, and all claims against the United States for the death of said Edward P. Frank, which was caused by the deceased being struck down by an automobile truck belonging to the Post Office Department, on the 18th day of March 1920, at the intersection of Lafayette and Franklin Streets, in the Borough of Manhattan, city of New York: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

August 26, 1937
[H R 2455]
[Private, No. 381]

Bertha L. Frank
Payment to.

Proviso
Limitation on attorney's, etc., fees

Penalty for violation

Approved, August 26, 1937.

[CHAPTER 852]

AN ACT

For the relief of John Stevens and the estate of Fred Hausauer, Junior.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to John Stevens, of Missoula County, Montana, the sum of \$2,500, and to the administrator of the estate of Fred Hausauer, Junior, deceased, formerly of Missoula County, Montana, the sum of \$4,000, in full satisfaction of all claims against the United States for personal injuries sustained by the said John Stevens and for the death of said Fred Hausauer, Junior, when they were struck by a Forest Service truck operated by an enrollee of the Civilian Conservation Corps, in Missoula, Montana, on July 7, 1933: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and

August 26, 1937
[H R 2641]
[Private, No. 382]

John Stevens.
Payment to.

Fred Hausauer, Jr.
Payment to estate.

Proviso
Limitation on attorney's, etc., fees.

Penalty for viola-
tion.

the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 26, 1937.

[CHAPTER 853]

AN ACT

For the relief of Luke Francis Brennan.

August 26, 1937

[H. R. 3372]

[Private, No. 383]

Luke Francis Bren-
nan
Naval record cor-
rected.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged sailors Luke Francis Brennan, formerly of the United States Navy, shall hereafter be held and considered to have been honorably discharged from the naval service of the United States as a member of the United States Navy on March 22, 1899: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Proviso.
No back pay, etc.

Approved, August 26, 1937.

[CHAPTER 854]

AN ACT

To amend the Act entitled "An Act conferring upon the United States District Court for the Northern District of California, southern division, jurisdiction of the claim of Minnie C. de Back against the Alaska Railroad", approved June 24, 1935.

August 26, 1937

[H. R. 3988]

[Private, No. 384]

Minnie C. de Back,
claim.
49 Stat. 2089.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act conferring upon the United States District Court for the Northern District of California, southern division, jurisdiction of the claim of Minnie C. de Back against the Alaska Railroad", approved June 24, 1935, is hereby amended so as to read as follows:

Suit permitted
against United States.

"That consent is hereby granted to Minnie C. de Back, of San Francisco, California, to sue the United States of America in an action at law for general and special damages by reason of personal injuries alleged to have been sustained by her on or about July 3, 1931, while a passenger for hire aboard one of the trains of the Alaska Railroad, operated in the Territory of Alaska by the United States of America pursuant to the provisions of the Act of March 12, 1914 (ch. 37, sec. 1, 38 Stat. 305), as amended, together with the right to either party to appeal from any judgment which may be entered in said action.

38 Stat. 305.
48 U. S. C. § 301.

Jurisdiction con-
ferred on district court.

"Sec. 2. Jurisdiction is hereby conferred upon the United States District Court for the Northern District of California, southern division, to hear, determine, and render judgment upon said claim, the subject of said action.

Liability of United
States

"Sec. 3. In the determination of such claim, the United States of America as defendant in such action shall be held liable for any tort committed by any of its instrumentalities, officers, agents, employees, or servants in the same manner and to the same extent as if it were a private person.

Commencement of
suit

"Sec. 4. Such action on said claim may be instituted at any time within one year after the enactment of this Act, notwithstanding the lapse of time or any statute of limitation, and proceedings for its determination shall be in accordance with Paragraph Twentieth of section 24 of the Judicial Code, as amended."

Procedure
28 U. S. C. § 24 (20).

Approved, August 26, 1937.

[CHAPTER 855]

AN ACT

For the relief of H. A. Montgomery.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to H. A. Montgomery, of Oakland, California, the sum of \$600 in full settlement of all claims against the United States because of the loss of personal effects as the result of a fire in the apartment quarters 8F at Grand Canyon National Park, Arizona, September 1, 1935, which fire occurred through the defective condition of said building: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 26, 1937.

August 26, 1937
[H. R. 4267]
[Private, No. 385]

H. A. Montgomery.
Payment to.

Proviso
Limitation on attorney's, etc., fees

Penalty for violation

[CHAPTER 856]

AN ACT

For the relief of Alden H. Baker.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alden H. Baker, former postmaster at Westfield, Indiana, the sum of \$850.55 in full satisfaction of his claim against the United States for the value of postage, war-savings, and thrift stamps stolen from the post office at Westfield, Indiana, on April 13, 1918, and for which he has reimbursed the United States Government: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 26, 1937.

August 26, 1937
[H. R. 4567]
[Private, No. 386]

Alden H. Baker
Payment to

Proviso
Limitation on attorney's, etc., fees

Penalty for violation

[CHAPTER 857]

AN ACT

For the relief of the Puget Sound Bridge and Dredging Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Puget Sound Bridge and Dredging Company, of Seattle, Washington, the sum of \$856.97 in full settlement of all claims against the United States for damages sustained by reason of sus-

August 26, 1937
[H. R. 5161]
[Private, No. 387]

Puget Sound Bridge
and Dredging Com-
pany.
Payment to.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation

pension of dredging operations by the United States under contract W-869-eng-666, dated October 18, 1933, from November 20, 1934, to November 25, 1934: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 26, 1937.

[CHAPTER 858]

AN ACT

For the relief of Major William W. McCaw.

August 26, 1937
[H R 5508]
[Private, No 388]

Maj. William W.
McCaw, Army.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Major William W. McCaw, Medical Corps, United States Army, the sum of \$336 in full satisfaction of his claim against the United States for a stoppage in pay ordered against him on March 27, 1923, as a result of overpayments of an allotment in the case of Private Joseph Caci, from August 19, 1920, the date such soldier was court-martialed, through June 30, 1922, the date it was discovered that he had previously been dishonorably discharged, such overpayment resulting from the failure of Major McCaw, through a misinterpretation of the regulations, to notify the Finance Department of the Army of the said discharge of Private Joseph Caci: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 26, 1937.

Proviso
Limitation on attorney's, etc., fees

Penalty for violation

[CHAPTER 859]

AN ACT

For the relief of R. E. Rainer, R. H. Alderman, and John Harmon.

August 26, 1937
[H R 6135]
[Private, No 389]

R E Rainer and
others
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to R. E. Rainer the sum of \$101.50, to R. H. Alderman the sum of \$99.50, and to John Harmon the sum of \$53.73, in full settlement of all claims against the Government of the United States, representing the value of personal property which they lost in the performance of their duties as customs patrol inspectors when the customs vessel U. S. C. 4192 was destroyed by explosion and fire on December 3,

1935, at Pass-A-Grille, Florida: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation

Approved, August 26, 1937.

[CHAPTER 860]

AN ACT

Conferring jurisdiction upon the United States District Court for the Northern District of Georgia to hear, determine, and render judgment, upon the claims of George Perdue, O. B. Ross, Sadie Washington, and the estate of Larry W. Fleming.

August 26, 1937
[H. R. 6271]

[Private, No. 390]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the United States District Court for the Northern District of Georgia to hear, determine, and render judgment, as if the United States were suable in tort, upon the claims of George Perdue, O. B. Ross, Sadie Washington, and the estate of Larry W. Fleming, deceased, all of Atlanta, Georgia, for damages resulting from personal injuries, death, and property damage received by them on March 6, 1933, by reason of an automobile collision involving a United States Army truck and trailer, on the Atlanta-Newnan Highway, near Palmetto, Georgia: *Provided*, That the judgment, if any, shall not exceed, in the case of George Perdue, \$3,000; in the case of O. B. Ross, \$3,000; in the case of Sadie Washington, \$3,000; and in the case of the estate of Larry W. Fleming, \$5,000.

George Perdue and others
Claims of, referred to district court

Proviso.
Judgments, limitation.

SEC. 2. Suit upon such claims may be instituted at any time within one year after the enactment of this Act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claims, appeals therefrom, and payment of any judgments thereon shall be in the same manner as in the cases over which such court has jurisdiction under the provisions of Paragraph Twentieth of section 24 of the Judicial Code, as amended.

Commencement of suit

Procedure.

28 U. S. C. § 24 (20).

Approved, August 26, 1937.

[CHAPTER 861]

AN ACT

Conferring jurisdiction upon the United States District Court for the State of Massachusetts to hear, determine, and render judgment upon the claim of Anthony Caramagno.

August 26, 1937
[H. R. 6469]

[Private, No. 391]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the United States District Court for the State of Massachusetts to hear, determine, and render judgment, as if the United States were suable in tort, upon the claim of Anthony Caramagno, of Salisbury, Massachusetts, for damages to a restaurant

Anthony Caramagno
Claim of, referred to district court.

Proviso.
Judgment, limita-
tion
Commencement of
suit

Procedure.

28 U. S. C. § 24 (20).

and two houses at Salisbury, Massachusetts, owned by him, alleged to have been caused by blasting operations on a Works Progress Administration project numbered 7496, in May, 1936: *Provided*, That the judgment, if any, shall not exceed a total sum of \$7,154.

SEC. 2. Suit upon such claim may be instituted at any time within one year after the enactment of this Act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claim, appeals therefrom, and payment of any judgment thereon, shall be in the same manner as in the cases over which such court has jurisdiction under the provisions of paragraph twentieth of section 24 of the Judicial Code, as amended.

Approved, August 26, 1937.

[CHAPTER 862]

AN ACT

For the relief of Henry T. Sharp, Hilliard B. Atkins, and Theodore S. Meekins.

August 26, 1937
[H. R. 6893]
[Private, No. 392]

Beacon Island Mil-
itary Reservation,
N. C.
Conveyance of, to
persons designated.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War, notwithstanding the terms and conditions of contract of sale and purchase dated January 14, 1926, as amended, be, and he is hereby, authorized and directed to convey to Henry T. Sharp, Asheville, North Carolina; Hilliard B. Atkins, Waynesville, North Carolina; and Theodore S. Meekins, Manteo, North Carolina, as their interest may appear, all the right, title, and interest of the United States of America in and to the Beacon Island Military Reservation, North Carolina, without payment of the balance due the United States under the aforesaid contract, as amended.

Approved, August 26, 1937.

[CHAPTER 863]

AN ACT

For the relief of John E. T. Clark.

August 26, 1937
[H. R. 7458]
[Private, No. 393]

John E. T. Clark.
Credit in postal ac-
counts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the account of John E. T. Clark, former postmaster at Coalgate, Oklahoma, in the sum of \$6,113.93 on account of the loss of postal, Treasury-savings, postal-savings, money-order, and war-revenue funds, resulting from the failure of the City National Bank of Coalgate, Oklahoma, on November 5, 1923, and the First National Bank of Coalgate, Oklahoma, on January 8, 1924.

Approved, August 26, 1937.

[CHAPTER 864]

AN ACT

Conferring jurisdiction upon the Court of Claims of the United States to hear, determine, and render judgment upon the claim of the Lon D. Worsham Company.

August 26, 1937
[H. R. 7587]
[Private, No. 394]

Lon D. Worsham
Company
Claim of, referred to
Court of Claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, determine, and render judgment upon the claim of Lon D. Worsham Company, a partnership consisting of Lon D. Worsham, Chattanooga, Tennessee, and J. H. Clark, Ringgold, Georgia, against the United States, arising out of contract W641 qm. 452, dated Novem-

ber 10, 1933, with the Quartermaster Corps of the United States Army for the erection of twenty-eight Civilian Conservation Corps camps, for damages alleged to be the result of work performed in addition to that required by said contract, notwithstanding the alleged failure of the contracting officer for the Government to issue written orders for said extra work, and/or losses alleged to be the result of delays on the part of the Government in furnishing materials which it had agreed to supply.

Approved, August 26, 1937.

[CHAPTER 865]

AN ACT

For the relief of Gallup's, Incorporated.

August 26, 1937
[H. R. 2215]

[Private, No. 395]

Gallup's, Inc.
Payment to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Gallup's, Incorporated, Kansas City, Missouri, the sum of \$198.50. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by the said Gallup's, Incorporated, on account of the destruction by fire at Washington State Park, De Soto, Missouri, on March 12, 1935, of certain surveying instruments which were leased by such company under its former name of "Gallup Map and Supply Company" to the Department of the Interior, National Park Service: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 26, 1937.

[CHAPTER 879]

AN ACT

For the relief of Margaret Voorhees, a minor.

August 28, 1937
[H. R. 615]

[Private, No. 396]

Margaret Voorhees.
Payment to guardian.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,000 to the legal guardian of Margaret Voorhees, a minor, of Fonda, New York, in full settlement of all claims against the Government of the United States for injuries sustained on July 2, 1935, at Fonda, New York, by Margaret Voorhees, as the result of the explosion of a torpedo firecracker thrown by a member of Company H, Sixty-sixth Regiment United States Infantry: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 28, 1937.

[CHAPTER 880]

AN ACT

For the relief of P. S. Everest.

August 28, 1937

[S. 1402]

[Private, No. 397]

P. S. Everest.
Payment to.*Proviso.*
Limitation on attorney's, etc., fees.

Penalty for violation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to P. S. Everest, former Superintendent and special disbursing agent for the Lac du Flambeau Indian Agency, Lac du Flambeau, Wisconsin, the sum of \$515.14, said sum to be in full settlement of his claim against the United States for a refund of interest paid to the Government on the principal sum of \$1,712.23, representing losses incurred from January 30 to July 30, 1930, on account of the fraudulent acts of W. H. Shawnee, deputy disbursing agent, which principal sum has been paid to P. S. Everest by the surety of W. H. Shawnee: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 28, 1937.

[CHAPTER 881]

AN ACT

For the relief of Harry Bryan and Alda Duffield Mullins, and others.

August 28, 1937

[S. 1640]

[Private, No. 398]

Harry Bryan and
Alda Duffield Mullins, and others.
Payments to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry Bryan and Alda Duffield Mullins, for the death of their daughter, Eva Mae Mullins, the sum of \$5,000; to the legal guardian of Elbert Grover Harrison, Junior, the sum of \$11,000; to the legal guardian of Imogene Stanley, the sum of \$500; to the legal guardian of Graynell Stanley, the sum of \$2,500; to the legal guardian of Hazel Marie Hitchcock, the sum of \$5,000; to the legal guardian of Patricia Lea Hitchcock, the sum of \$1,000; to the legal guardian of Charles Ray Coulter, the sum of \$4,000; to the legal guardian of Harry Robert Isenhardt, the sum of \$10,000; to the legal guardian of Carl Gene Bosley, the sum of \$9,000; to the legal guardian of Doris Ruth Helmick, the sum of \$750; to the legal guardian of James Andrew Belknap, the sum of \$1,000; to Patrick Daniel and Nora Helena Grace Hickey, for injuries sustained by Paul Hickey, their son, the sum of \$100; to Everett French Mick, for injuries sustained by Wallace Robert Mick, his son, the sum of \$300; to William M. and Ato Norman Young, for injuries sustained by Harry Jess Young, their son, the sum of \$100; to Albert and Della Workman Groves, for injuries sustained by Norris Blaine Groves, their son, the sum of \$100; to Ethel Rollyson Lough, the sum of \$2,500, and to Ray Earl Bennett, the sum of \$75, all claimants of Gassaway, Braxton County, West Virginia; said sums, in all, \$52,925, to be in full settlement of all claims against the Government for personal injuries and death

caused by an explosion resulting from the negligent heating of tar by employees of the Works Progress Administration in Gassaway, West Virginia, November 7, 1936. The sums above appropriated to guardians are for the sole and exclusive benefit of the minors for whom such guardians are appointed.

SEC. 2. That no part of the amounts appropriated in this Act shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 28, 1937.

Prohibition on attorney's, etc., fees.

Penalty for violation.

[CHAPTER 882]

AN ACT

For the relief of George H Stahl and Henry A Behrens.

August 28, 1937
[S 2093]

[Private, No. 399]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers George H. Stahl, who was a member of Company B, Fourth Regiment Wisconsin Volunteer Infantry, enlisted July 14, 1898, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 10th day of December 1898: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

George H Stahl
Military record corrected

Proviso
No back pay, etc.

SEC. 2. That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Henry A. Behrens, who was a member of Company F, Fourth Regiment Wisconsin Volunteer Infantry, and who was mustered into the service on July 11, 1898, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on February 28, 1899: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

Henry A Behrens
Military record corrected

Proviso
No back pay, etc.

Approved, August 28, 1937.

[CHAPTER 883]

AN ACT

For the relief of George R. Slate.

August 28, 1937
[S 2159]

[Private, No. 400]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers George R. Slate, who was a member of Company G, Third Regiment Virginia Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 2d day of July 1898, and notwithstanding any provisions to the contrary in the Act relating to pensions approved April 26, 1898, as amended by the act approved May 11, 1908: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this Act.

George R Slate.
Military record corrected

Proviso
No back pay, etc.

Approved, August 28, 1937.

[CHAPTER 884]

AN ACT

For the relief of M. M. Twichel.

August 28, 1937

[S. 2299]

[Private, No. 401]

M. M. Twichel.
Payment to.*Provisos*
Condition.

Limitation on attorney's, etc., fees.

Penalty for violation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to M. M. Twichel, of Saint Ignatius, Montana, out of any money in the Treasury not otherwise appropriated, the sum of \$3,346.66, or so much thereof as may be necessary, in full and complete satisfaction of his claim against the United States for compensation for services rendered and expenses incurred in connection with the burial of Indians on the Flathead Indian Reservation, Montana, prior to April 30, 1937: *Provided*, That before any payment is made hereunder the Secretary of the Interior shall certify that no part of the amount claimed has heretofore been paid: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 28, 1937.

[CHAPTER 885]

AN ACT

For the relief of Lois H. Anthony and Albert J. E. Shay.

August 28, 1937

[S. 2301]

[Private, No. 402]

Lois H. Anthony.
Credit in accounts.Albert J. E. Shay.
Judgments canceled.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General is authorized and directed to cancel the charges, in the amount of \$8,819.36, entered on the accounts of Lois H. Anthony, as clerk in charge of the post office at the Navy Yard at Boston, Massachusetts, by reason of the disallowance by the General Accounting Office of payments made to the said Lois H. Anthony by the Post Office Department for her services in conducting such post office during the period from December 6, 1926, to June 1, 1936.

SEC. 2. That the Comptroller General is hereby authorized and directed to cancel the judgments, in the amount of \$1,750, entered on the accounts of Albert J. E. Shay, as clerk in charge of the contract post office at the Navy Yard at Brooklyn, New York, by reason of the disallowance by the General Accounting Office of payments made to the said Albert J. E. Shay by the Post Office Department for his services in conducting such post office under a contract effective June 1, 1934.

Approved, August 28, 1937.

[CHAPTER 886]

AN ACT

For the relief of F. A. Gross and others.

August 28, 1937

[S. 2374]

[Private, No. 403]

F. A. Gross and
others.
Credit in accounts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of F. A. Gross, Superintendent of the Fort Hall Indian Agency; Donald H. Biery, Superintendent of the Sherman Institute; Lem A. Towers, Superintendent

of the Southern Pueblos Indian Agency; and G. F. Allen, Chief Disbursing Officer of the Treasury Department, for expenditures made for travel expense, compensation, and per diem of certain Indian employees of the Indian Service while attending the fourth seminar in education at Yale University during the fiscal year 1935, under authorities issued by the Commissioner of Indian Affairs.

Approved, August 28, 1937.

[CHAPTER 887]

AN ACT

For the relief of Harry A. Garfield, Cyrus Garnsey, Junior, James H. Allport, and Frank E. Harkness.

August 28, 1937

[S. 2514]

[Private, No. 404]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the following-named persons, formerly associated with the United States Fuel Administration, the sum hereinafter specified in full satisfaction of all their claims against the United States for reimbursement of all sums paid by them out of their personal funds as compensation to employees engaged subsequent to June 30, 1919, in winding up the affairs of the United States Fuel Administration: Harry A. Garfield, of Washington, District of Columbia, \$2,986.65; Cyrus Garnsey, Junior, of rural free delivery route numbered 3, Seneca Falls, New York, \$80; James H. Allport, of Barnesboro, Pennsylvania, \$127.16; and Frank E. Harkness, of 120 South La Salle Street, Chicago, Illinois, in care of Butler, Lamb, Foster, and Pope, \$117.50: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Harry A. Garfield
and others
Payment to.

Proviso
Limitation on attorney's, etc., fees.

Penalty for violation.

Approved, August 28, 1937.

[CHAPTER 892]

AN ACT

To carry into effect the findings of the Court of Claims in the case of William W. Danenhower.

August 31, 1937

[S. 1438]

[Private, No. 405]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sallie M. Danenhower, executrix of the estate of William W. Danenhower, deceased, the sum of \$34,260, said sum to be in full and final settlement of all claims against the Government of the United States and the District of Columbia for damages caused by the depreciation in value of said William W. Danenhower's property situate in square 737 of the city of Washington, District of Columbia, which said damages were caused by the elimination of grade crossings of railroads in pursuance to the Act of Congress approved February 12, 1901 (31 Stat. L. 774), and Acts supplemental thereto, as found by the Court of Claims and reported in Senate Document Numbered 2, Sixty-seventh Congress, first session: *Provided*, That one-half of said sum of \$34,260 shall be chargeable to the District of Columbia and

William W. Danenhower
Payment to estate of.

31 Stat. 774.

Proviso.
Division of payment.

Limitation on attorney's, etc., fees.

Penalty for violation.

paid in like manner as other appropriations of the District of Columbia are paid: *And provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, August 31, 1937.

[CHAPTER 893]

AN ACT

For the relief of Elva T. Shuey.

August 31, 1937
[H R 2649]

[Private, No 406]

Elva T. Shuey
Dual employment,
release of liability by
reason of

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Elva T. Shuey, an employee of the Bureau of Mines, Department of the Interior, is hereby released from any liability to the United States by reason of being employed in two positions, that of teacher in the District of Columbia schools and as clerk in the executive branch of the Government during the period January 13, 1919, to March 15, 1919, and on September 16, 1920, and June 30, 1924. The Acting Comptroller General of the United States has certified that the sum of \$192.50 is due the United States from the said Elva T. Shuey under the statute relating to the receiving more than one salary.

Approved, August 31, 1937.

[CHAPTER 894]

AN ACT

For the relief of the Merchants National Bank and Trust Company, the First National Bank and Trust Company, and the Vicksburg Infirmary, all of Vicksburg, Mississippi.

August 31, 1937
[H R 6682]

[Private, No. 407]

Merchants National
Bank and Trust Com-
pany, Vicksburg,
Miss., and others
Payment to

Proviso.
Limitation on attorney's, etc., fees.

Penalty for violation.

Recovery of embezzled funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Merchants National Bank and Trust Company, of Vicksburg, Mississippi, the sum of \$500, to the First National Bank and Trust Company, of Vicksburg, Mississippi, the sum of \$500, and to the Vicksburg Infirmary, of Vicksburg, Mississippi, the sum of \$275, in full satisfaction of their claims against the United States for a refund of the value of thirteen invalid postal money orders fraudulently issued from December 9, 1932 to January 13, 1933, by Harry G. Peek, former postmaster at Soudheimer, Louisiana, which sums have heretofore been paid to the United States: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

SEC. 2. Nothing in this Act shall be construed to prevent the recovery by the United States of funds embezzled by the said Harry G. Peek, or on money orders unlawfully issued by him, except those which are the subject of these claims.

Approved, August 31, 1937.

CONCURRENT RESOLUTIONS

CONCURRENT RESOLUTIONS

FIRST SESSION, SEVENTY-FIFTH CONGRESS

JOINT MEETING

January 5, 1937
[S Con Res, No. 1]

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Wednesday, the 6th day of January, 1937, at 2 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

Joint meeting of the two Houses to receive communications from the President.

Passed, January 5, 1937.

COUNTING ELECTORAL VOTES

January 5, 1937
[S Con. Res, No. 2]

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall meet in the Hall of the House of Representatives on Wednesday, the 6th day of January 1937, at 1 o'clock postmeridian, pursuant to the requirements of the Constitution and laws relating to the election of President and Vice President of the United States, and the President of the Senate shall be their presiding officer; that two tellers shall be previously appointed by the President of the Senate on the part of the Senate and two by the Speaker on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter A; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted in the manner and according to the rules by law provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

Counting electoral votes.
Proceedings for, in the Hall of the House of Representatives.

Passed, January 5, 1937.

January 29, 1937

[S. Con. Res., No. 3]

Revenue Act of 1936
Additional copies of,
ordered printed.
49 Stat. 1648

Distribution.

REVENUE ACT OF 1936

Resolved by the Senate (the House of Representatives concurring), That there be printed twenty-eight thousand additional copies of the Act entitled "An Act to provide revenue, equalize taxation, and for other purposes" (Public, Numbered 740, Seventy-fourth Congress), approved June 22, 1936, of which fifteen thousand copies shall be for the use of the House document room, five thousand copies shall be for the Senate document room, two thousand copies for the Committee on Ways and Means of the House of Representatives, one thousand for the Committee on Finance of the Senate, and five thousand for the Joint Committee on Printing.

Passed, January 29, 1937.

March 16, 1937

[S. Con. Res., No. 5]

Army Day
April 6 of each year
recognized as.

Proclamation
Post, p. 1824.

Proviso
Observance, when
falling on Sunday

ARMY DAY

Resolved by the Senate (the House of Representatives concurring), That April 6 of each year be recognized by the Senate and House of Representatives of the United States of America as Army Day, and that the President of the United States be requested, as Commander in Chief, to order military units throughout the United States to assist civic bodies in appropriate celebration to such extent as he may deem advisable; to issue a proclamation each year declaring April 6 as Army Day, and in such proclamations to invite the Governors of the various States to issue Army Day proclamations: *Provided*, That in the event April 6 falls on Sunday, the following Monday shall be recognized as Army Day.

Passed, March 16, 1937.

April 1, 1937

[H. Con. Res., No. 7]

"The Taxing Power
of the Federal and
State Governments"
Additional copies of,
ordered printed.
34 Stat. 1012
44 U. S. C. § 133.

"THE TAXING POWER OF THE FEDERAL AND STATE GOVERNMENTS"

Resolved by the House of Representatives (the Senate concurring), That in accordance with paragraph 3 of section 2 of the Printing Act approved March 1, 1907, the Joint Committee on Internal Revenue Taxation be, and is hereby, empowered to have printed for its use five thousand additional copies of its report entitled "The Taxing Power of the Federal and State Governments."

Passed, April 1, 1937.

April 7, 1937

[H. Con. Res., No. 8]

Charles M. Perkins
Return of bill con-
cerning, requested
Ante, p. 947.

CHARLES M. PERKINS

Resolved by the House of Representatives (the Senate concurring), That the President of the United States be, and he is hereby, requested to return to the House of Representatives the enrolled bill (H. R. 1089) entitled "An Act for the relief of Charles M. Perkins."

Passed, April 7, 1937.

CHARLES M. PERKINS

April 9, 1937
[H. Con. Res., No. 9]

Resolved by the House of Representatives (the Senate concurring), That the action of the Speaker of the House of Representatives and of the President of the Senate in signing the enrolled bill (H. R. 1089) entitled "An Act for the relief of Charles M. Perkins", be rescinded, and that in the re-enrollment of the said bill the Clerk of the House of Representatives be, and he is hereby, authorized and directed to make the following correction, to wit:

Charles M. Perkins
Cancellation of signatures and correction in re-enrollment of bill for relief of, directed
Ante, p. 947.

Strike out the figures "\$14,987.66" and insert in lieu thereof the figures "\$14,897.66."

Passed, April 9, 1937.

FOREIGN DECORATIONS, ETC.

April 12, 1937
[S. Con. Res., No. 8]

Resolved by the Senate (the House of Representatives concurring), That the President of the United States be, and he is hereby, requested to return to the Senate the enrolled bill (S. 1455) to authorize certain officers of the United States Navy, officers, enlisted men, and civilian employees of the United States Army and officers and enlisted men of the Marine Corps to accept such medals, orders, and decorations as have been tendered them by foreign governments in appreciation of services rendered; that if and when the said bill is returned by the President, the action of the Speaker of the House of Representatives and of the President pro tempore of the Senate in signing the said bill be deemed to be rescinded; and that the Secretary of the Senate be, and is hereby, authorized and directed, in the reenrollment of the said bill, to make the following correction, viz: In the language inserted by the engrossed House amendment No. 4 on page 2, at the end of line 11 of the engrossed bill, strike out the word "Lieutenant" and insert the words "Lieutenant Colonel."

Foreign decorations, etc.
Return of bill (S. 1455) respecting, requested
Ante, p. 948.

Cancellation of signatures of Speaker and President pro tempore of the Senate

Correction in re-enrollment

Passed, April 12, 1937.

BITUMINOUS COAL ACT OF 1937

April 15, 1937
[H. Con. Res., No. 10]

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 4985) to regulate interstate commerce in bituminous coal, and for other purposes, the Clerk of the House is authorized and directed to strike out in section 4-A the following: "and interstate commerce on the one hand".

Bituminous Coal Act of 1937.
Correction in enrollment of bill, directed
Ante, p. 72

Passed, April 15, 1937.

REORGANIZATION OF THE JUDICIAL BRANCH OF THE GOVERNMENT

May 12, 1937
[S. Con. Res., No. 13]

Resolved by the Senate (the House of Representatives concurring), That in accordance with paragraph 3 of section 2 of the Printing Act approved March 1, 1907, the Committee on the Judiciary of the Senate be, and is hereby, empowered to have printed for its use five thousand additional copies of part 2 and each subsequent part of the hearings held before the said committee during the current session on the bill (S. 1392), "To reorganize the judicial branch of the Government."

Reorganization of the judicial branch of the Government
Printing of additional copies of hearings on bill (S. 1392).

Passed, May 12, 1937.

May 21, 1937

[S. Con. Res., No. 14]

Statues of William
Jennings Bryan and
J. Sterling Morton.
Proceedings upon
acceptance of, ordered
printed

Distribution.

Illustrations.

STATUES OF WILLIAM JENNINGS BRYAN AND J. STERLING MORTON

Resolved by the Senate (the House of Representatives concurring), That there be printed with illustrations and bound five thousand copies of the proceedings in Congress, together with the proceedings held at the unveiling in Statuary Hall, upon the acceptance of the statutes¹ of William Jennings Bryan and J. Sterling Morton, presented by the State of Nebraska, of which one thousand shall be for the use of the Senate and two thousand five hundred for the use of the House of Representatives, and the remaining one thousand five hundred copies shall be for the use and distribution of the Senators and Representatives in Congress from the State of Nebraska.

The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer and shall procure suitable illustrations to be published with these proceedings.

Passed, May 21, 1937.

May 28, 1937

[H. Con. Res., No. 14]

Independent Offices
Appropriation bill,
1938
Correction in enroll-
ment, directed
Ante, p. 344.

INDEPENDENT OFFICES APPROPRIATION BILL, 1938

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill (H. R. 4064) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1938, and for other purposes, the Clerk of the House of Representatives is hereby authorized and directed to change the amount of "\$150,000,000" in the third paragraph under the heading "Social Security Board" to the sum of "\$132,000,000" and to change the total accordingly.

Passed, May 28, 1937.

June 7, 1937

[S. Con. Res., No. 12]

Statues of William
Jennings Bryan and
J. Sterling Morton
Thanks of Congress
presented to Nebraska
for

Copy of resolution
to Governor.

STATUES OF WILLIAM JENNINGS BRYAN AND J. STERLING MORTON

Resolved by the Senate (the House of Representatives concurring), That the thanks of this Congress be presented to the Governor and through him to the people of the State of Nebraska for the statues of William Jennings Bryan and J. Sterling Morton, whose names are so honorably identified with the history of our country; that these works of art are accepted in the name of the Nation and assigned to places in the Capitol of the United States already set aside by Congress for the statues of eminent citizens; and that a copy of this resolution, signed by the President of the Senate and the Speaker of the House of Representatives, be transmitted to the Governor of Nebraska.

Passed, June 7, 1937.

¹ So in original.

BIRTH OF VIRGINIA DARE, ETC.

June 16, 1937
[H Con Res, No 17]Birth of Virginia Dare, etc.
Joint committee appointed to represent Congress at 350th anniversary celebration.

Resolved by the House of Representatives (the Senate concurring), That a joint committee consisting of five Members of the Senate, to be appointed by the President of the Senate, and five Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, shall represent the Congress of the United States at the celebration of the three hundred and fiftieth anniversary of the birth of Virginia Dare (the first child of English parentage to be born on the American Continent), and the three hundred and fiftieth anniversary of the disappearance of Sir Walter Raleigh's Colony (known in history as "The Lost Colony"), to be held at Roanoke Island, North Carolina, on August 18, 1937. The joint committee shall select a chairman from among its members.

SEC. 2. The necessary expenses of the joint committee herein authorized not exceeding \$1,000 shall be paid one-half out of the contingent fund of the Senate and one-half out of the contingent fund of the House of Representatives on vouchers authorized by the joint committee and signed by the chairman thereof.

Division of expenses

Passed, June 16, 1937.

STAR-ROUTE CONTRACTS, POSTAL SERVICE

June 18, 1937
[S Con Res., No 16]Star-route contracts, Postal Service
Correction in enrollment of bill (H R 4408) concerning, directed.

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (H. R. 4408) to provide for the renewal of star-route contracts at four-year intervals, and for other purposes, the Clerk of the House is authorized and directed to strike out in section 2 "stated in" and insert in lieu thereof "required under", and to strike out in section 4 the word "contract" where it appears immediately preceding the word "legally" and insert in lieu thereof the word "contractor".

Passed, June 18, 1937.

INDEPENDENT OFFICES APPROPRIATION ACT, 1938

June 18, 1937
[H Con Res, No 18]Independent Offices Appropriation Act, 1938
Correction in enrollment of bill (H R 4064) directed
Ante, p. 345.

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 4064) entitled "An Act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1938, and for other purposes", the Clerk of the House of Representatives is authorized and directed to insert in the fourth paragraph under the caption "Veterans' Administration" after the word "Administration," the following additional matter: "accruing during the fiscal year 1938 or in prior fiscal years,".

Passed, June 18, 1937.

REORGANIZATION OF THE JUDICIAL BRANCH OF THE GOVERNMENT

June 30, 1937
[S Con Res, No 17]Reorganization of the judicial branch of the Government.
Additional copies of report on, ordered printed
Distribution.

Resolved by the Senate (the House of Representatives concurring), That there shall be printed thirty thousand additional copies of Senate Report Numbered 711, current session, on the bill (S. 1392) to reorganize the judicial branch of the Government, of which seven thousand copies shall be for the use of the Senate Document Room and twenty-three thousand copies for the use of the House Document Room.

Passed, June 30, 1937.

July 19, 1937

[S Con Res, No 10]

STATUE OF GENERAL WILLIAM HENRY HARRISON BEADLE

Statue of General William Henry Harrison Beadle.

Acceptance and thanks of Congress to South Dakota

Copy of resolutions to Governor

Resolved by the Senate (the House of Representatives concurring), That the statue of General William Henry Harrison Beadle, presented by the State of South Dakota, to be placed in Statuary Hall, is accepted in the name of the United States, and that the thanks of the Congress be tendered said State for the contribution of the statue of one of its most eminent citizens, illustrious for his valor as a soldier and his distinguished service as an educator; and be it further *Resolved,* That a copy of these resolutions, suitably engrossed and duly authenticated, be transmitted to the Governor of South Dakota.

Passed, July 19, 1937.

August 6, 1937

[H Con Res, No 21]

TECHNOLOGICAL TRENDS AND NATIONAL POLICY, ETC.

"Technological Trends and National Policy, Including the Social Implications of the New Inventions" Additional copies ordered printed Distribution

Resolved by the House of Representatives (the Senate concurring), That the Report of the Subcommittee on Technology, submitted to the National Resources Committee, entitled "Technological Trends and National Policy, Including the Social Implications of the New Inventions", be printed as a House document; and that ten thousand additional copies shall be printed, of which two thousand nine hundred copies shall be for the use of the Senate and seven thousand one hundred copies shall be for the use of the House.

Passed, August 6, 1937.

August 21, 1937

[S Con Res, No 18]

JOINT COMMITTEE ON HAWAII

Joint Committee on Hawaii Establishment, composition

Investigation and study of subject of statehood, etc.

Report to Senate and House of Representatives

Powers.

Resolved by the Senate (the House of Representatives concurring), That there is hereby created a joint congressional committee to be known as the Joint Committee on Hawaii, which shall be composed of not to exceed twelve Members of the Senate, to be appointed by the President of the Senate, and not to exceed twelve Members of the House of Representatives and the Delegate from Hawaii, to be appointed by the Speaker of the House of Representatives. The committee shall select a chairman from among its members. The committee shall cease to exist upon making its report to Congress pursuant to this resolution.

SEC. 2. The committee is authorized and directed to conduct a comprehensive investigation and study of the subject of statehood and of other subjects relating to the welfare of the Territory of Hawaii. The committee shall report to the Senate and to the House of Representatives not later than January 15, 1938, the results of its investigation and study, together with its recommendations for such legislation as it deems necessary or desirable.

SEC. 3. For the purposes of this resolution, the committee is authorized to sit and act, as a whole or by subcommittee, at such times and places as it deems advisable, to hold such hearings, to administer such oaths and affirmations, to take such testimony, and to have such printing and binding done as it deems necessary.

Passed, August 21, 1937.

DEVELOPMENT OF RESOURCES OF ALASKA

August 21, 1937
[H. Con Res , No. 24]

Resolved by the House of Representatives (the Senate concurring), That the President is requested to prepare or cause to be prepared by the present departments and agencies of the Government, and within the regular appropriations of such departments and agencies heretofore made for the fiscal year 1938, and to report to the Congress within thirty days after commencement of the second session of the Seventy-fifth Congress, a comprehensive plan for the development of the resources of the Territory of Alaska, and the expansion and development of the facilities of commerce between the United States and Alaska, and within the Territory. The plan so prepared and reported to Congress, may, in the discretion of the President, embrace a statement of such works and facilities to be established in Alaska as may be desirable for national defense. Said report to contain such information as will aid the Congress in conducting investigations to determine what is to be done with the resources of Alaska.

Resources of Alaska.
Preparation of plan
for development of.

Report to Congress.

Passed, August 21, 1937.

ADJOURNMENT

August 21, 1937
[H. Con Res , No 25]

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress shall adjourn on Saturday the 21st day of August 1937, and that when they adjourn on said day they stand adjourned sine die.

Adjournment of
Congress, August 21,
1937

Passed, August 21, 1937.

SIGNING ENROLLED BILLS, ETC.

August 21, 1937
[H. Con Res , No 26]

Resolved by the House of Representatives (the Senate concurring), That notwithstanding the adjournment of the first session of the Seventy-fifth Congress, the President of the Senate and the Speaker of the House of Representatives be, and they are hereby, authorized to sign any enrolled bills or joint resolutions duly passed by the two Houses and which have been examined by the Committee on Enrolled Bills of each House and found truly enrolled.

Enrolled bills or
joint resolutions
Signing of, after ad-
journment author-
ized

Passed, August 21, 1937.

TREATIES

NOTE

In this section are included all instruments, whether called treaties, conventions, protocols, or otherwise, entered into on the part of the United States by the President by and with the advice and consent of the Senate.

TREATIES

Supplementary extradition convention between the United States of America and France. Signed at Paris, April 23, 1936; ratification advised by the Senate, June 16, 1936; ratified by the President, June 20, 1936; ratified by France, July 30, 1936; ratifications exchanged at Paris, August 25, 1936; proclaimed, September 11, 1936.

April 23, 1936
[T. S. No. 909]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a supplementary extradition convention between the United States of America and the Republic of France was concluded and signed by their respective Plenipotentiaries at Paris on the twenty-third day of April, one thousand nine hundred and thirty-six, the original of which supplementary convention, being in the English and French languages, is word for word as follows:

Supplementary ex-
tradition convention
with France
Preamble

THE UNITED STATES OF AMERICA AND THE REPUBLIC OF FRANCE being desirous of completing the list of crimes and offenses on account of which extradition may be granted under the Convention concluded between the United States and France January 6, 1909, have resolved to conclude an additional Convention for this purpose and to that end have appointed the following plenipotentiaries, to wit:

The President of the United States of America:

His Excellency Mr. Jesse Isidor STRAUS, Ambassador extraordinary and plenipotentiary of the United States of America to the French Republic;

And the President of the French Republic:

His Excellency Mr. Pierre-Etienne FLANDIN, Deputy, Minister for Foreign Affairs,

Who are in agreement on the following articles:

LES ETATS-UNIS D'AMERIQUE et la REPUBLIQUE FRANCAISE désirant compléter la liste des crimes et délits pour lesquels l'extradition peut être accordée en vertu de la Convention conclue entre les Etats-Unis et la France, le 6 Janvier 1909, ont résolu de conclure une Convention additionnelle à cet effet et ont désigné, pour ce faire, les Plénipotentiaires ci-après, savoir:

Contracting powers.
37 Stat. 1526.

Le Président des Etats-Unis d'Amérique:

Son Excellence M. Jesse Isidor STRAUS, Ambassadeur Extraordinaire et Plénipotentiaire des Etats-Unis d'Amérique près le Gouvernement de la République Française et le Président de la République française:

Son Excellence M. Pierre-Etienne FLANDIN, Député, Ministre des Affaires Etrangères;

Lesquels se sont mis d'accord sur les articles ci-après:

Plenipotentiaries.

ARTICLE I.

Addition to extraditable crimes
37 Stat 1529; 46 Stat.
2276.

Crimes, etc., against
bankruptcy laws.

The following stipulation, forming a paragraph 17, is added to the list of crimes and offenses appearing in Article II of the aforementioned Convention of January 6, 1909, completed by the additional Convention of January 15, 1929:

"Acts classified under the heading of bankruptcy, or punished with the penalties of bankruptcy, by French law, if they constitute a crime or an offense in accordance with the laws of the United States".

ARTICLE II.

Considered part of
former convention

The present Convention shall be considered as an integral part of the aforementioned extradition Convention of January 6, 1909. The second article thereof shall be read as if the list of crimes and offenses contained therein had originally comprised the criminal acts under the heading of bankruptcy by French law and provided for in Article I of the present Convention.

Exchange of ratifications.

The present Convention shall be ratified and the ratifications exchanged at Paris as soon as possible. It will come into force thirty days after the exchange of ratifications. It will continue in force and will terminate in the same manner as the said Convention of January 6, 1909.

Signatures.

By virtue of which the present plenipotentiaries have signed the present Convention in duplicate and have thereunto affixed their seals.

Done in duplicate at Paris, on the 23rd of April, 1936.

JESSE ISIDOR STRAUS [SEAL]

P. E. FLANDIN

ARTICLE IER-

La disposition suivante constituant un paragraphe 17 est ajoutée à la liste des crimes et délits figurant à l'article II de ladite Convention du 6 Janvier 1909, complétée par la Convention additionnelle du 15 Janvier 1929:

"Faits incriminés sous la qualification de banqueroute ou punis des peines de la banqueroute par la législation française, s'ils constituent un crime ou un délit, d'après la législation des Etats-Unis".

ARTICLE II.

La présente Convention doit être considérée comme partie intégrante de ladite Convention d'extradition du 6 Janvier 1909. Le nouvel article II de cette dernière doit être interprété comme si la liste des crimes et délits qui y sont énumérés avait compris dès l'origine les faits incriminés sous la qualification de banqueroute par la législation française et prévus à l'Article Ier de la présente Convention.

La présente Convention sera ratifiée et les ratifications seront échangées à Paris le plus tôt possible. Elle entrera en vigueur trente jours après l'échange des ratifications. Elle restera en vigueur et prendra fin dans les mêmes conditions que la Convention du 6 Janvier 1909.

EN Foi de quoi, les Plénipotentiaires respectifs ont signé la présente Convention en double exemplaire et y ont apposé leurs sceaux.

Fait en double à Paris le 23 Avril 1936.

[SEAL] JESSE ISIDOR STRAUS

[SEAL] P. E. FLANDIN

Ratifications exchanged.

AND WHEREAS the said supplementary convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Paris on the twenty-fifth day of August, one thousand nine hundred and thirty-six;

Effective date.

AND WHEREAS the said supplementary convention, in accordance with Article II thereof, will come into force thirty days after the exchange of ratifications, that is to say, on September 24, 1936;

Proclamation.

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said supplementary convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof on and after the twenty-fourth day of September, 1936.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this eleventh day of September,
in the year of our Lord one thousand nine hundred and
[SEAL] thirty-six, and of the Independence of the United States
of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

International Convention and Regulations for Promoting Safety of Life at Sea. Signed at London, May 31, 1929; ratification advised by the Senate, subject to understandings, June 19, 1936; ratified by the President, subject to said understandings, July 7, 1936; ratification of the United States deposited at London, August 7, 1936; proclaimed, September 30, 1936.

May 31, 1929
[T. S. No 910]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a Convention for Promoting Safety of Life at Sea, with regulations annexed, was signed at London on May 31, 1929, by the respective plenipotentiaries of the United States of America, Germany, the Commonwealth of Australia, Belgium, Canada, Denmark, Spain, the Irish Free State, Finland, France, the United Kingdom of Great Britain and Northern Ireland, India, Italy, Japan, Norway, the Netherlands, Sweden and the Union of Soviet Socialist Republics, the original of which Convention and regulations in the English and French languages, is word for word as follows:

International Convention, etc., for Promoting Safety of Life at Sea
Preamble.

INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA.

PREAMBLE.

Contracting Pow-
ers

The Governments of Germany, the Commonwealth of Australia, Belgium, Canada, Denmark, Spain, the Irish Free State, the United States of America, Finland, France, the United Kingdom of Great Britain and Northern Ireland, India, Italy, Japan, Norway, the Netherlands, Sweden, the Union of Socialist Soviet Republics; being desirous of promoting safety of life at sea by establishing in common agreement uniform principles and rules directed thereto;

Considering that this end may best be achieved by the conclusion of a Convention;

Plenipotentiaries

Have appointed their Plenipotentiaries, namely:

The Government of Germany:

Dr. Friedrich STHAMER, Ambassador Extraordinary and Plenipotentiary of the German Reich in London.
Mr. Gustav KOENIGS, Ministerialdirigent in the Reichsverkehrsministerium, Geheimer Regierungsrat, Berlin.
Mr. Arthur WERNER, Oberregierungsrat in the Reichsverkehrsministerium, Geheimer Justizrat, Berlin.
Mr. Walter LAAS, Professor, Director of the "Germanischer Lloyd" Classification Society, Berlin.
Dr. Otto RIESS, Director ret. of the Reichsschiffsvermessungsamt, Geheimer Regierungsrat, Neubrandenburg.
Mr. Hermann GIESS, Ministerialrat in the Reichspostministerium, Berlin.
Vice-Admiral Hugo DOMINIK, President of the "Deutsche Seewarte, Hamburg."

The Government of the Commonwealth of Australia:

Captain Henry James FEAKES, Royal Australian Navy, Commonwealth Naval Representative in London.
Lieut.-Commander Thomas FREE, Royal Naval Reserve (Retired).
Captain J. K. DAVIS, Commonwealth Director of Navigation.

The Government of Belgium:

Baron DE GERLACHE DE GOMERY, Director-General of the Marine Department.
Mr. Gustave DE WINNE, Ingénieur en Chef, Director of the Marine Department.
Mr. Georges GOOR, Adviser to the Marine Department.

CONVENTION INTERNATIONALE POUR LA SAUVEGARDE DE LA VIE HUMAINE EN MER.

PRÉAMBULE.

Les Gouvernements de l'Allemagne, du Commonwealth d'Australie, de la Belgique, du Canada, du Danemark, de l'Espagne, de l'État Libre d'Irlande, des États-Unis d'Amérique, de la Finlande, de la France, du Royaume Uni de la Grande-Bretagne et d'Irlande du Nord, de l'Inde, de l'Italie, du Japon, de la Norvège, des Pays-Bas, de la Suède, de l'Union des Républiques Soviétistes Socialistes, étant désireux d'établir d'un commun accord des principes et des règlements à l'effet de sauvegarder la vie humaine en mer,

Considérant que le meilleur moyen d'atteindre ce but est la conclusion d'une Convention,

Ont désigné les plénipotentiaires suivants:

Le Gouvernement de l'Allemagne:

- M. le Docteur Friedrich STHAMER, Ambassadeur extraordinaire et plénipotentiaire de l'Allemagne à Londres.
- M. Gustav KOENIGS, Ministerialdirigent au Reichsverkehrsministerium, Geheimer Regierungsrat, Berlin.
- M. Arthur WERNER, Oberregierungsrat au Reichsverkehrsministerium, Geheimer Justizrat, Berlin.
- M. Walter LAAS, Professeur, Directeur de la Société de Classification "Germanischer Lloyd," Berlin.
- M. le Docteur Otto RIESS, Directeur en retraite du Reichsschiffsvermessungsamt, Geheimer Regierungsrat, Neubrandenburg.
- M. Hermann GRIESS, Ministerialrat au Reichspostministerium, Berlin.
- M. le Vice-Amiral Hugo DOMINIK, Président de la "Deutsche Seewarte," Hamburg.

Le Gouvernement du Commonwealth d'Australie:

- M. le Capitaine de vaisseau Henry James FEAKES, Royal Australian Navy, Attaché Naval du Commonwealth à Londres.
- M. le Capitaine de corvette en retraite Thomas FREE, Royal Naval Reserve.
- M. le Capitaine de vaisseau J. K. DAVIS, Directeur de la Navigation.

Le Gouvernement de la Belgique:

- M. le Baron DE GERLACHE DE GOMERY, Directeur Général à l'Administration de la Marine.
- M. Gustave DE WINNE, Ingénieur en chef, Directeur du Service à l'Administration de la Marine.
- M. Georges GOOR, Conseiller à l'Administration de la Marine.

Plenipotentiaries—
Continued.

The Government of Canada:

Mr. Alexander JOHNSTON, Deputy Minister of Marine.
Mr. Lucien PACAUD, Secretary in the Office of the Canadian High Commissioner in London.

The Government of Denmark:

Mr. Emil KROGH, Assistant-Secretary in the Marine Department, Ministry of Industry, Commerce and Shipping.
Mr. V. TOPSØE-JENSEN, Judge of the Supreme Court of Appeal.
Captain V. LORCK, Chief Examiner of Masters and Mates.
Mr. J. A. KÖRBING, Technical Managing Director of the United Steam Ship Company, Copenhagen.
Mr. Aage H. LARSEN, Engineer in Chief of the Ministry of Industry, Commerce and Shipping.
Mr. Arnold POULSEN, Engineer Commissioner to the Ministry of Industry, Commerce and Shipping.

The Government of Spain:

Rear-Admiral Don Francisco Javier DE SALAS y Gonzalez, Head of the Naval Commission in Europe.

The Government of the Irish Free State:

Mr. J. W. DULANTY, Commissioner for Trade for the Irish Free State in Great Britain.
Mr. E. C. FOSTER, Chief Surveyor in the Marine Branch, Department of Industry and Commerce.

The Government of the United States of America:

The Honourable Wallace H. WHITE, Junior, Member of Congress, Chairman of the Committee on Merchant Marine and Fisheries.
Mr. Arthur J. TYRER, Commissioner of Navigation, Department of Commerce.
Mr. Charles M. BARNES, Chief of the Treaty Division, Department of State.
Rear-Admiral George H. ROCK, Construction Corps, United States Navy, Assistant Chief of the Bureau of Construction and Repair, Navy Department.
Captain Clarence S. KEMPF, United States Navy, Hydrographer, Navy Department.
Mr. Dickerson N. HOOVER, Supervising Inspector-General of the Steamboat Inspection Service, Department of Commerce.
Mr. William D. TERRELL, Chief of the Radio Division, Department of Commerce.
Rear-Admiral John G. TAWRESEY, Construction Corps, United States Navy (Retired), United States Shipping Board.
Mr. Herbert B. WALKER, President of the American Steamship Owners' Association.
Mr. Henry G. SMITH, President of the National Council of American Shipbuilders.
Captain Charles A. McALLISTER, President of the American Bureau of Shipping.

The Government of Finland:

Baron Gustaf WREDE, President of the Shipping Board.
Captain Väinö BERGMAN, Inspector of Shipping.
Consul Karl KURTEN, Manager of the Finnish Shipowners' Association.

Le Gouvernement du Canada:

- M. Alexander JOHNSTON, Sous-Ministre de la Marine.
- M. Lucien PACAUD, Secrétaire de Haut Commissariat à Londres.

Le Gouvernement du Danemark:

- M. Emil KROGH, Chef de Bureau au Ministère de l'Industrie, du Commerce et de la Navigation.
- M. V. TOPSØE-JENSEN, Juge à la Cour Suprême.
- M. le Capitaine V. LORCK, Directeur de la Navigation.
- M. J. A. KÖRBBING, Directeur à la Compagnie d'armement "Det Forenede Dampskibsselskab."
- M. Aage H. LARSEN, Ingénieur-constructeur au Ministère de l'Industrie, du Commerce et de la Navigation.
- M. Arnold POULSEN, Ingénieur au Ministère de l'Industrie, du Commerce et de la Navigation.

Le Gouvernement de l'Espagne:

- M. le Contre-Amiral Don Francisco Javier DE SALAS y Gonzalez, Chef de la Commission Navale en Europe.

Le Gouvernement de l'État Libre d'Irlande:

- M. J. W. DULANTY, Commissaire pour le Commerce de l'État Libre d'Irlande en Grande Bretagne.
- M. E. C. FOSTER, Inspecteur en Chef au Service Maritime, Ministère de l'Industrie et du Commerce.

Le Gouvernement des États-Unis d'Amérique:

- L'Honorable M. Wallace H. WHITE, Junior, Membre du Congrès, Président de la Commission de la Marine Marchande et des Pêches.
- M. Arthur J. TYRER, Commissaire pour la Navigation, Département du Commerce.
- M. Charles M. BARNES, Chef de la Direction des Traités, Département d'État.
- M. le Contre-Amiral George H. ROCK, Corps des Constructions Navales, Chef adjoint du Service de la Construction et des Réparations, Département de la Marine.
- M. le Capitaine de vaisseau Clarence S. KEMPF, United States Navy, Hydrographe, Département de la Marine.
- M. Dickerson N. HOOVER, Inspecteur Général Contrôleur du Service de l'Inspection des Navires à Vapeur du Département du Commerce.
- M. William D. TERRELL, Chef du Service de la Radioélectricité, Département du Commerce.
- M. le Contre-Amiral en retraite John G. TAWRESEY, Corps des Constructions Navales, United States Shipping Board.
- M. Herbert B. WALKER, Président de l'Association Américaine des Armateurs de Navires à Vapeur.
- M. Henry G. SMITH, Président du Conseil National Américain des Constructeurs de Navires.
- M. le Capitaine Charles A. McALLISTER, Président du American Bureau of Shipping.

Le Gouvernement de la Finlande:

- M. le Baron Gustaf WREDE, Président du Shipping Board.
- M. le Capitaine Väinö BERGMAN, Inspecteur de la Navigation.
- M. le Consul Karl KURTEN, Directeur de l'Association Finlandaise des Armateurs.

Plenipotentiaries—
Continued.

The Government of France:

Mr. RIO, Senator and former Minister.
Captain HAARBLEICHER, Naval Construction Corps, Director of
Mercantile Shipping Service, Department of Public Works.
Commander MARIE, Naval Construction Corps, Direction of
Mercantile Shipping.
Captain THOUROUDE, Naval Attaché to the French Embassy
in London.

*The Government of the United Kingdom of Great Britain and Northern
Ireland:*

Sir Herbert W. RICHMOND, Vice-Admiral, Royal Navy.
Sir Westcott ABELL, Professor of Naval Architecture, Armstrong
College, Newcastle-on-Tyne.
Mr. A. L. AYRE, Vice-President of the Shipbuilding Employers'
Federation.
Captain F. W. BATE, Professional Officer, Mercantile Marine
Department, Board of Trade.
Mr. C. H. BOYD, Mercantile Marine Department, Board of
Trade.
Sir William C. CURRIE, President of the Chamber of Shipping
of the United Kingdom.
Mr. A. J. DANIEL, Principal Ship Surveyor, Board of Trade.
Sir Norman HILL, Chairman of the Merchant Shipping Advisory
Committee.
Sir Charles HIPWOOD, Principal Assistant Secretary, Mercantile
Marine Department, Board of Trade.
Captain A. R. H. MORRELL, Trinity House.

The Government of India:

Sir Geoffrey L. CORBETT, Commerce Department, Government
of India.
Captain E. V. WHISH, Port Officer, Bombay.
Mr. M. A. MASTER, General Manager of the Scindia Steam
Navigation Company.

The Government of Italy:

Lieut.-General of Port G. INGIANNI, General Director of the
Mercantile Marine.
Vice-Admiral A. ALESSIO, Chief of the Technical Inspectorate
of the Mercantile Marine.
Count D. ROGERI DI VILLANOVA, Counsellor to the Italian
Embassy in London.
Dr. T. C. GIANNINI, Counsellor of Emigration.
Major-General of Port F. MARENA, Vice-Inspector of Harbour
Master Offices.
Engineer-General E. FERRETTI, Chief of the Technical Office of
the Italian Naval and Aeronautical Register.
Mr. G. GNAME, Chief of the Telegraph Service of the General
Direction of Postal and Telegraphic Services.
Commander L. BIANCHERI, Royal Italian Navy.

The Government of Japan:

Mr. Yukio YAMAMOTO, Inspector-General of the Mercantile
Marine Bureau, Expert in the Department of Communica-
tions.
Captain Shichihei OTA, Imperial Japanese Navy.
Mr. Itaro ISHII, First Class Secretary of Embassy.

Le Gouvernement de la France:

- M. RIO, Sénateur, Ancien Ministre.
- M. l'Ingénieur en Chef de la Marine HAARBLEICHER, Directeur des Services de la Flotte de Commerce et du Matériel Naval, Ministère des Travaux Publics.
- M. l'Ingénieur Principal de la Marine MARIE, Direction des Services de la Flotte de Commerce et du Matériel Naval.
- M. le Capitaine de Vaisseau THOUROUDE, Attaché Naval à l'Ambassade de France à Londres.

Le Gouvernement du Royaume Uni de Grande-Bretagne et d'Irlande du Nord:

- M. le Vice-Amiral Sir Herbert W. RICHMOND, Royal Navy.
- Sir Westcott ABELL, Professeur de Construction Navale, Armstrong College, Newcastle-on-Tyne.
- M. A. L. AYRE, Vice-Président de la Fédération des Constructeurs de Navires.
- M. le Capitaine F. W. BATE, Conseiller Nautique, Mercantile Marine Department, Board of Trade.
- M. C. H. BOYD, Mercantile Marine Department, Board of Trade.
- Sir William C. CURRIE, Président de la Chamber of Shipping of the United Kingdom.
- M. A. J. DANIEL, Principal Ship Surveyor, Board of Trade.
- Sir Norman HILL, Président du Merchant Shipping Advisory Committee.
- Sir Charles HIPWOOD, Principal Assistant Secretary, Mercantile Marine Department, Board of Trade.
- M. le Capitaine A. R. H. MORRELL, Trinity House.

Le Gouvernement de l'Inde:

- Sir Geoffrey L. CORBETT, Département de Commerce, Gouvernement de l'Inde.
- M. le Capitaine E. V. WHISH, Officier de Port, Bombay.
- M. M. A. MASTER, Directeur Général de la Scindia Steam Navigation Company.

Le Gouvernement de l'Italie:

- M. le Lieutenant Général de Port G. INGIANNI, Directeur Général de la Marine Marchande.
- M. le Vice-Amiral A. ALESSIO, Chef de l'Inspection Technique de la Marine Marchande.
- Count D. ROGERI DI VILLANOVA, Conseiller de Légation à l'Ambassade à Londres.
- M. le Docteur T. C. GIANNINI, Conseiller d'Émigration.
- M. le Major-Général de port F. MARENA, Vice-Inspecteur des Capitaineries de port.
- M. l'Ingénieur-Général E. FERRETTI, Chef du Bureau Technique du Régistre Naval et Aéronautique Italien.
- M. G. GNEME, Chef de Service aux Télégraphes, Direction Générale des Postes et des Télégraphes.
- M. le Capitaine de frégate L. BIANCHERI, Royal Italian Navy.

Le Gouvernement du Japon:

- M. Yukio YAMAMOTO, Inspecteur Général au Bureau de la Marine Marchande, Expert au Département des Communications.
- M. le Capitaine de vaisseau Shichihei Ota, Imperial Japanese Navy.
- M. Itaro ISHII, Secrétaire d'Ambassade de première classe.

Plenipotentiaries—
Continued.

The Government of Norway:

Mr. B. VOGT, Norwegian Minister in London.
Mr. L. T. HANSEN, Director of the Department of Shipping,
Ministry of Commerce and Navigation.
Mr. J. SCHÖNHEYDER, Surveyor-in-Chief of the Ship and En-
gineer Division, Ministry of Commerce and Navigation.
Mr. Arth H. MATHIESEN, Vice-President of the Norwegian Ship-
owners' Association.
Captain N. MARSTRANDER, Chairman of the Board of the Nor-
wegian Masters' Association.
Mr. A. BIRKELAND, Manager of the Norwegian Seamen's and
Firemen's Union.

The Government of the Netherlands:

Vice-Admiral C. FOCK, Inspector-General of Navigation.
Mr. C. H. DE GOEJE, Ex-Inspector-General of Navigation,
Netherland East Indies.
Mr. A. VAN DRIEL, Adviser on Naval Architecture, Shipping In-
spection Service.
Mr. J. A. BLAND VAN DEN BERG, Inspector of Coastal and Ships'
Radiotelegraphy.
Mr. Phs. VAN OMMEREN, Junior, Chairman of Phs. van Ommeren,
Ltd.
Mr. H. G. J. UILKENS, Ex-Commodore of the Netherland Steam-
ship Company.

The Government of Sweden:

Baron PALMSTIERNA, Swedish Minister in London.
Mr. Nils GUSTAF NILSSON, Assistant Under-Secretary in the
Board of Trade.
Captain Erik Axel Fredrik EGGERT, Maritime Expert to the
Social Board.

The Government of the Union of Socialist Soviet Republics:

Mr. Jan Lvovitch ARENS, Counsellor to the U. S. S. R. Embassy
in Paris.
Captain Karl Pavlovitch EGGI, Commander of the Icebreaker
"Lenin," Soviet Merchant Fleet (Sovtorgflot).

Who, having communicated their full powers, found in good and
due form, have agreed as follows:—

Chapter I—Prelim-
inary

CHAPTER I.—PRELIMINARY.

ARTICLE 1.

Purpose

THE Contracting Governments undertake to give effect to the pro-
visions of the present Convention for the purpose of promoting safety
of life at sea, to promulgate all regulations and to take all other steps
which may be necessary to give the present Convention full and com-
plete effect.

Regulations
Post, p 1188.

References.

The provisions of the present Convention are completed by Regu-
lations contained in Annex I, which have the same force and take
effect at the same time as the present Convention. Every reference
to the present Convention implies at the same time a reference to the
Regulations annexed thereto.

Le Gouvernement de la Norvège:

- M. B. VOGT, Envoyé Extraordinaire et Ministre Plénipotentiaire à Londres.
- M. L. T. HANSEN, Directeur du Département de la Marine, Ministère du Commerce et de la Navigation.
- M. J. SCHÖNHEYDER, Contrôleur en chef de la Ship and Engineer Division, Ministère du Commerce et de la Navigation.
- M. ARTH H. MATHIESEN, Vice-Président de l'Association Norvégienne des Armateurs.
- M. le Capitaine N. MARSTRANDER, Président du Bureau de l'Association Norvégienne des Capitaines de Navire.
- M. A. BIRKELAND, Directeur de l'Union Norvégienne des Marins et des Chauffeurs.

Le Gouvernement des Pays-Bas:

- M. le Vice-Amiral C. FOCK, Inspecteur-Général de la Navigation.
- M. C. H. DE GOEJE, Ex-Inspecteur-Général de la Navigation, Indes Néerlandaises.
- M. A. VAN DRIEL, Conseiller de Construction Navale, Service de l'Inspection Maritime.
- M. J. A. BLAND VAN DEN BERG, Inspecteur de la Radiotélégraphie Côtière et Maritime.
- M. PHS. VAN OMMEREN, Junior, Président de la PHS. van Ommersen, Ltd.
- M. H. G. J. UILKENS, Ex-Commodore de la Netherland Steamship Company.

Le Gouvernement de la Suède:

- M. le Baron PALMSTIERNA, Envoyé Extraordinaire et Ministre Plénipotentiaire à Londres.
- M. Nils Gustaf NILSSON, Chef de Section à l'Administration Centrale du Commerce.
- M. le Capitaine Erik Axel Fredrik EGGERT, Expert pour les Affaires Maritimes de l'Administration Centrale du Travail et de la Prévoyance Sociale.

Le Gouvernement de l'Union des Républiques Soviétistes Socialistes:

- M. Jan Lvovitch ARENS, Conseiller de l'Ambassade de l'U. R. S. S. à Paris.
- M. le Capitaine Karl Pavlovitch EGGER, Commandant du Brise-glace "Lenin," Soviet Merchant Fleet (Sovtorgflot).

qui, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des dispositions suivantes:

CHAPITRE I.—PRÉLIMINAIRES.

ARTICLE 1.

Les Gouvernements contractants s'engagent à appliquer les dispositions de la présente Convention, en vue d'encourager la sauvegarde de la vie humaine en mer, à édicter tous règlements et à prendre toutes autres mesures propres à lui faire produire son plein et entier effet.

Les dispositions de la présente Convention sont complétées par un Règlement contenu dans l'annexe I qui a la même valeur et entre en vigueur en même temps que la présente Convention. Toute référence à la présente Convention implique référence simultanée au Règlement y annexé.

ARTICLE 2.

Applications and Definitions.

Applications and definitions

1. The provisions of the present Convention shall apply to ships belonging to countries the Governments of which are Contracting Governments, and to ships belonging to territories to which the present Convention is applied under Article 62, as follows:—

Post, p. 1182.

Construction, *post*, p. 1132.

Chapter II.—(*Construction*) to passenger ships (mechanically propelled) on international voyages.

Life-saving appliances, *post*, p. 1138.

Chapter III.—(*Life-saving Appliances*) to passenger ships (mechanically propelled) on international voyages.

Radiotelegraphy, *post*, p. 1146.

Chapter IV.—(*Radiotelegraphy*) to all ships engaged on international voyages except cargo ships of less than 1,600 tons gross tonnage.

Safety of navigation, *post*, p. 1160

Chapter V.—(*Safety of Navigation*) to all ships on all voyages.

Certificates, *post*, p. 1172

Chapter VI.—(*Certificates*) to all the ships to which Chapters II, III and IV apply.

Classes of ships, etc.

2. The classes of ships to which each Chapter applies are more precisely defined, and the extent of the application is shown, in each Chapter.

3. In the present Convention, unless expressly provided otherwise—

Ship nationality.

(a) a ship is regarded as belonging to a country if it is registered at a port of that country;

Administration

(b) the expression "Administration" means the Government of the country in which the ship is registered;

International voyage

(c) an international voyage is a voyage from a country to which the present Convention applies to a port outside such country, or conversely; and for this purpose every colony, overseas territory, protectorate or territory under suzerainty or mandate is regarded as a separate country;

Passenger ship

(d) a ship is a passenger ship if it carries more than 12 passengers;

Regulations
Post, p. 1188.

(e) the expression "Regulations" means the Regulations contained in Annex I.

Ships of war.

4. The present Convention, unless expressly provided otherwise, does not apply to ships of war.

ARTICLE 3.

Cases of "Force Majeure".

Cases of force majeure.

No ship, which is not subject to the provisions of the present Convention at the time of its departure on any voyage, shall become subject to the provisions of the present Convention on account of any deviation from its intended voyage due to stress of weather or any other cause of *force majeure*.

ARTICLE 2.

Applications et définitions.

1. Les dispositions de la présente Convention s'appliquent dans les conditions suivantes aux navires appartenant à un pays dont le Gouvernement est un Gouvernement contractant et aux navires appartenant aux contrées auxquelles la présente Convention s'applique en vertu de l'Article 62:

Chapitre II.—(*Construction*): aux navires à passagers (à propulsion mécanique) lorsqu'ils effectuent des voyages internationaux.

Chapitre III.—(*Engins de Sauvetage*): aux navires à passagers (à propulsion mécanique) lorsqu'ils effectuent des voyages internationaux.

Chapitre IV.—(*Radiorégraphie*): à tous les navires qui effectuent des voyages internationaux à l'exception des navires de charge de moins de 1,600 tonneaux de jauge brute.

Chapitre V.—(*Sécurité de la Navigation*): à tous les navires quel que soit le genre de voyages.

Chapitre VI.—(*Certificats*): à tous les navires auxquels s'appliquent les chapitres II, III et IV.

2. Chacun des Chapitres définit avec plus de précision les catégories de navires auxquels il s'applique ainsi que le champ des dispositions qui leur sont applicables.

3. Dans la présente Convention, à moins d'indications expresses contraires:

(a) un navire est considéré comme appartenant à un pays lorsqu'il est immatriculé dans un port de ce pays;

(b) l'expression "Administration" désigne le Gouvernement du pays où le navire est immatriculé;

(c) un voyage international est un voyage entre un pays auquel la présente Convention s'applique et un port situé en dehors de ce pays, ou inversement; toute colonie, territoire d'outre-mer, protectorat ou territoire placé sous suzeraineté ou mandat est considéré à cet égard comme un pays distinct.

(d) un navire est considéré comme un navire à passagers s'il transporte plus de 12 passagers;

(e) l'expression "Règles" désigne les Règles contenues dans l'Annexe I.

4. La présente Convention, à moins d'indication expresse contraire, ne s'applique pas aux navires de guerre.

ARTICLE 3.

Cas de force majeure.

S'il n'est pas soumis au moment de son départ pour un voyage quelconque, aux prescriptions de la présente Convention, aucun navire ne doit être astreint à ces prescriptions à raison d'un déroutement quelconque au cours de son voyage si ce déroutement est occasionné par le mauvais temps ou par toute autre cause de force majeure.

Persons who are on board a ship by reason of *force majeure* or in consequence of the obligation laid upon the master to carry shipwrecked or other persons shall not be taken into account for the purpose of ascertaining the application to a ship of any provisions of the present Convention.

Chapter II.—Construction.

CHAPTER II.—CONSTRUCTION.

ARTICLE 4.

Application.

Application.

New passenger ships on international voyages.

1. This Chapter, except where it is otherwise expressly provided, applies to new passenger ships engaged on international voyages.

Definition.

2. A new passenger ship is a ship the keel of which is laid on or after the 1st July, 1931, or a ship which is converted to passenger service on or after that date, all other passenger ships being described as existing passenger ships.

Exemptions in certain cases

3. Each Administration may, if it considers that the route and the conditions of the voyage are such as to render the application of the requirements of this Chapter unreasonable or unnecessary, exempt from the requirements of this Chapter individual ships or classes of ships belonging to its country which, in the course of their voyage, do not proceed more than 20 miles from the nearest land.

Relaxations
Post, p 1204

4. In the case of a passenger ship which, in the course of its voyage, does not proceed more than 200 miles from the nearest land, the Administration of the country to which the ship belongs may allow relaxations from such of the requirements of Regulations IX, X, XV and XIX as may be proved to the satisfaction of the Administration to be neither reasonable nor practicable.

Modification of existing ships.

5. In the case of existing passenger ships engaged on international voyages which do not already comply with the provisions of this Chapter relating to new passenger ships, the arrangements on each ship shall be considered by the Administration of the country to which the ship belongs, with a view to improvements being made to provide increased safety where practicable and reasonable.

Pilgrim, etc., trades.

6. In the case of passenger ships engaged on international voyages which are employed in the carriage of large numbers of unberthed passengers in special trades, such, for example, as the pilgrim trade, an Administration, if satisfied that it is impracticable to enforce compliance with the requirements of this Chapter, may exempt such ships, when they belong to its country, from those requirements on the following conditions:—

Les personnes qui se trouvent à bord d'un navire par raison de force majeure ou qui s'y trouvent par suite de l'obligation imposée au capitaine de transporter soit des naufragés, soit d'autres personnes, ne doivent pas entrer en ligne de compte lorsqu'il s'agit de vérifier l'application au navire d'une prescription quelconque de la présente Convention.

CHAPITRE II.—CONSTRUCTION.

ARTICLE 4.

Navires auxquels s'applique ce Chapitre.

1. Le présent Chapitre s'applique, sauf dans les cas où il en est autrement disposé, aux navires à passagers neufs, affectés à des voyages internationaux.

2. Un navire à passagers neuf est un navire dont la quille a été posée le 1^{er} juillet 1931 ou postérieurement ou qui est transformé pour être affecté à un service de passagers à cette date ou postérieurement. Tous les autres navires à passagers sont considérés comme navires à passagers existants.

3. Toute Administration d'un pays peut, si elle juge que la route suivie et les conditions du voyage sont de nature à ne rendre l'application des prescriptions du présent Chapitre ni raisonnable ni nécessaire, dispenser de ces prescriptions des navires ou des catégories de navires, appartenant à ce pays, qui, au cours de leur voyage, ne s'éloignent pas de plus de 20 milles marins de la terre la plus proche.

4. Dans le cas où un navire à passagers ne s'éloigne pas, au cours de son voyage, de plus de 200 milles marins de la terre la plus proche, l'Administration à laquelle appartient le navire peut accorder des atténuations aux prescriptions des Règles IX, X, XV et XIX si la preuve peut être faite à la satisfaction de l'Administration que l'application de ces prescriptions n'est ni raisonnable ni pratiquement réalisable.

5. Dans le cas de navires à passagers existants effectuant des voyages internationaux et ne satisfaisant pas déjà aux prescriptions du présent Chapitre relatives aux navires à passagers neufs, les mesures à prendre pour chaque navire seront déterminées par l'Administration du pays auquel il appartient, de manière à obtenir une sécurité plus grande sur les points où cela sera pratiquement réalisable et raisonnable.

6. Dans le cas de navires à passagers effectuant des voyages internationaux, qui sont utilisés à des transports spéciaux d'un grand nombre de passagers sans installation de couchettes, comme par exemple, le transport de pèlerins, toute Administration d'un pays peut, si elle juge qu'il est pratiquement impossible d'appliquer les prescriptions du présent Chapitre, dispenser ceux de ces navires qui appartiennent à ce pays des prescriptions en question, sous les conditions suivantes:

(a.) That the fullest provision which the circumstances of the trade will permit shall be made in the matter of construction.

(b.) That steps shall be taken to formulate general rules which shall be applicable to the particular circumstances of these trades. Such rules shall be formulated in concert with such other Contracting Governments, if any, as may be directly interested in the carriage of such passengers.

Ships not included

7. This Chapter does not apply to ships which are not mechanically propelled or to wooden ships of primitive build, such as dhows, junks, &c.

ARTICLE 5.

Watertight Subdivision of Ships.

Watertight subdivision of ships.

1. Ships shall be as efficiently subdivided as is possible having regard to the nature of the service for which they are intended. The requirements respecting subdivision are given in the following Articles and in the Regulations.

Degree

2. The degree of subdivision provided for by these requirements varies with the length of the ship and with the service, in such manner that the highest degree of subdivision corresponds with the ships of greatest length primarily engaged in the carriage of passengers.

Method of determination.
Post, p 1188

3. Regulations I to V indicate the method to be followed in order to determine the degree of subdivision applicable to a ship.

Subdivision loadlines

4. In order that the required degree of subdivision shall be maintained, a loadline corresponding to the approved subdivision draft shall be assigned and marked on the ship's sides. A ship having spaces which are specially adapted for the accommodation of passengers and the carriage of cargo alternatively may, if the owners desire, have one or more additional loadlines assigned and marked to correspond with the subdivision drafts which the Administration may approve for the alternative service conditions. The freeboard corresponding to each approved subdivision loadline, and the conditions of service for which it is approved, shall be clearly indicated on the Safety Certificate. Subdivision loadlines shall be marked and recorded in the manner provided in Regulation VII.

Post, p 1200.

ARTICLE 6.

Peak and Machinery Space Bulkheads, Shaft Tunnels, &c.

Peak and machinery space bulkheads, shaft tunnels, etc
Post, p 1200.

All ships shall be fitted with watertight forward and after peak bulkheads and with watertight bulkheads at the extremities of the machinery space, and, in screw ships, with watertight shaft tunnels or equivalent subdivision in accordance with the provisions of Regulation VI.

(a.) On doit appliquer dans la plus large mesure compatible avec les circonstances du trafic, les prescriptions relatives à la construction.

(b.) Des mesures doivent être prises pour formuler des prescriptions générales qui devront s'appliquer au cas particulier de ce genre de trafic. Ces prescriptions doivent être formulées d'accord avec ceux des autres Gouvernements contractants, s'il y en a, qui pourraient être directement intéressés au transport de ces passagers.

7. Le présent Chapitre ne s'applique pas aux navires dépourvus de propulsion mécanique, ni aux navires en bois de construction primitive tels que dhows, jonques, &c.

ARTICLE 5.

Compartimentage étanche des Navires.

1. Les navires doivent être compartimentés aussi efficacement que possible, eu égard à la nature du service auquel ils sont destinés. Les prescriptions relatives au compartimentage sont fixées par les Articles et par les Règles qui suivent.

2. Le degré de compartimentage assuré par l'application de ces Règles varie avec la longueur du navire et le service auquel il est destiné, de telle manière que le degré de compartimentage le plus élevé corresponde aux plus longs navires essentiellement affectés au transport des passagers.

3. Les Règles I à V indiquent la méthode à suivre pour déterminer le degré de compartimentage applicable à un navire.

4. Pour que le degré de compartimentage requis soit respecté, une ligne de charge, correspondant au tirant d'eau qui aura été approuvé comme répondant au compartimentage, sera assignée au navire et marquée sur le bordé extérieur. S'il existe sur le navire des espaces spécialement disposés pour servir à volonté, soit d'emménagements pour passagers, soit de locaux à marchandises, on pourra, à la demande de l'armateur, lui assigner et tracer sur le bordé extérieur, une ou plusieurs lignes de charge additionnelles, correspondant aux divers tirants d'eau de compartimentage que l'Administration jugera répondre aux différentes conditions de service. Le franc-bord correspondant à chacune de ces lignes de charge et les conditions de service pour lesquelles il est accepté seront indiqués d'une façon précise sur le certificat de sécurité. Les lignes de charge de compartimentage doivent être marquées et inscrites suivant la méthode prescrite par la Règle VII.

ARTICLE 6.

Cloisons des Extrémités, Cloisons de la Tranche des Machines, Tunnels des Lignes d'arbres, &c.

Il doit exister dans tous les navires des cloisons étanches aux extrémités avant et arrière, et aux extrémités de la tranche des machines et dans les navires à hélice il doit y avoir des tunnels étanches pour les lignes d'arbres, ou un compartimentage équivalent, le tout conformément aux prescriptions de la Règle VI.

ARTICLE 7.

Construction, Testing, &c.

Construction, testing, etc.
Post, pp 1202-1214,
 1216-1240

Regulations VIII to XIII and XV to XXI prescribe rules for—

- (a) the construction and testing of subdivision bulkheads, inner bottoms, watertight decks, trunks, ventilators, fire-resisting bulkheads, &c.;
- (b) the conditions governing openings in bulkheads, in the ship's sides and in the weather deck, and the character and use of means which shall be provided for closing these openings;
- (c) the tests and the periodical inspections and operation of the means of closing openings in bulkheads and in the ship's side;
- (d) exits from watertight compartments;
- (e) pumping arrangements; and
- (f) power for going astern and auxiliary steering apparatus.

ARTICLE 8.

Stability Test.

Stability test.

Every new passenger ship shall be inclined upon its completion and the elements of its stability determined. The operating personnel shall be supplied with such information on this subject as is necessary to permit efficient handling of the ship.

ARTICLE 9.

Official log book

Entries in the Official Log Book.

Entries

A record of the closing and opening of watertight doors, &c., and of all inspections and drills, shall be entered in the official log book as required by Regulation XIV.

Post, p 1216.

ARTICLE 10.

Initial and Subsequent Surveys of Ships.

Initial and subsequent surveys of ships.

The general principles which shall govern the survey of ships, whether new or existing, as regards hull, main and auxiliary boilers and machinery, and equipments, are stated in Regulation XXII. Each Contracting Government undertakes—

- (1) to draw up detailed regulations in accordance with these general principles, or to bring its existing regulations into agreement with these principles;
- (2) to secure that these regulations shall be enforced.

The detailed regulations referred to in the preceding paragraph shall be in all respects such as to secure that, from the point of view of safety of life, the ship is fit for the service for which it is intended.

Post, p 1224.

ARTICLE 7.

Construction, Épreuves, &c.

Les Règles VIII à XIII incluses et les Règles XV à XXI incluses contiennent les prescriptions relatives:—

(a) à la construction et aux épreuves des cloisons de compartimentage, double-fonds, ponts étanches, panneaux de descente, conduits de ventilation, cloisons d'incendie, &c.;

(b) aux ouvertures dans les cloisons, dans la muraille des navires et dans le pont exposé à la mer, le type des moyens de fermetures qui doit être employé pour les clore et l'emploi qui doit en être fait;

(c) aux épreuves, aux inspections périodiques et aux manœuvres périodiques des moyens de fermeture des ouvertures dans les cloisons étanches et dans la muraille du navire;

(d) aux moyens de sortie des compartiments étanches;

(e) aux dispositifs de pompage; et

(f) à la puissance disponible pour la marche arrière et à l'appareil à gouverner auxiliaire.

ARTICLE 8.

Essai de Stabilité.

Sur tout navire à passagers neuf, il sera fait, à son achèvement, un essai de stabilité et on déterminera les éléments de cette stabilité. Le personnel chargé d'utiliser le navire recevra, à ce sujet, tous les renseignements qui peuvent lui servir pour le manœuvrer convenablement.

ARTICLE 9.

Mentions au Journal de bord.

Mention doit être faite au journal de bord de la fermeture et de l'ouverture des portes étanches, &c., ainsi que de tous les exercices et inspections, dans la mesure spécifiée à la Règle XIV.

ARTICLE 10.

Inspections initiales et subséquentes des Navires.

Les principes généraux qui doivent régir l'inspection des navires neufs ou existants en ce qui concerne la coque, les chaudières et machines principales et auxiliaires, et l'équipement, sont établis par la Règle XXII. Chaque Gouvernement contractant s'engage:

(1) à édicter des règlements détaillés en conformité de ces principes généraux, ou à modifier sa réglementation existante de façon à la mettre d'accord avec ces principes;

(2) à assurer l'application de ces règlements.

D'une façon générale, les règlements de détail visés au paragraphe précédent doivent être établis de manière qu'au point de vue de la sauvegarde de la vie humaine, le navire soit approprié au service auquel il est destiné.

Chapter III.—Life-saving appliances, etc.

CHAPTER III.—LIFE-SAVING APPLIANCES, &c.

ARTICLE 11.

Interpretation

Interpretation.

For the purposes of this Chapter—

"New ship "

(a) the expression "new ship" means a ship the keel of which is laid on or after the 1st July, 1931, all other ships being described as existing ships;

"Short international voyage "

(b) the expression "short international voyage" means an international voyage in the course of which a ship is not more than 200 miles from the nearest land;

"Buoyant apparatus "

(c) the expression "buoyant apparatus" means buoyant deck seats, or buoyant deck chairs, or any other buoyant apparatus excepting boats, life-buoys and life-jackets.

ARTICLE 12.

Application.

Application.

New mechanically-propelled passenger ships on international voyages

1. This Chapter, except where it is otherwise expressly provided, applies to new passenger ships which are mechanically propelled and engaged on international voyages.

Short international voyages

2. Special provisions are laid down in Articles 13, 14, 19 and 25 with regard to new passenger ships engaged on short international voyages.

Exemptions.

3. Each Administration, if it considers that the route and the conditions of the voyage are such as to render the application of the full requirements of this Chapter unreasonable or unnecessary, may to that extent exempt from the requirements of this Chapter individual ships or classes of ships belonging to its country which, in the course of their voyage, do not go more than 20 miles from the nearest land.

Provisions for securing compliance with requirements

4. In the case of existing passenger ships which are mechanically propelled and engaged on international voyages and which do not already comply with the provisions of this Chapter relating to new passenger ships, the arrangements on each ship shall be considered by the Administration of the country to which the ship belongs, with a view to securing, so far as this is practicable and reasonable, compliance with the general principles set out in Article 13 not later than the 1st July, 1931, and substantial compliance with the other requirements of this Chapter.

Exemptions

5. In the case of passenger ships which are mechanically propelled and engaged on international voyages and which are employed in the carriage of large numbers of unberthed passengers in special trades, such, for example, as the pilgrim trade, an Administration, if satisfied that it is impracticable to enforce compliance with the requirements of this Chapter, may exempt such ships, when they belong to its country, from those requirements on the following conditions:—

(a.) That the fullest provision which the circumstances of the trade will permit shall be made in the matter of lifeboats and other life-saving appliances and fire protection.

CHAPITRE III.—ENGINS DE SAUVETAGE, &c.

ARTICLE 11.

Définitions.

Dans ce chapitre:

(a) l'expression "navire neuf" désigne un navire dont la quille a été posée le 1^{er} juillet 1931 ou après cette date; tous les autres navires sont qualifiés "navires existants";

(b) l'expression "voyage international court" désigne un voyage international au cours duquel le navire ne s'éloigne pas de plus de 200 milles de la terre la plus proche;

(c) l'expression "engin flottant" désigne les sièges de pont flottants, chaises de pont flottantes ou tout autre engin flottant à l'exception des embarcations, brassières de sauvetage et bouées de sauvetage.

ARTICLE 12.

Application.

1. Le présent Chapitre s'applique, sauf dans les cas où il en est autrement disposé, aux navires à passagers neufs à propulsion mécanique effectuant des voyages internationaux.

2. Des prescriptions spéciales sont énoncées dans les Articles 13, 14, 19 et 25 pour les navires à passagers neufs effectuant des voyages internationaux courts.

3. Toute Administration d'un pays peut, si elle juge que la route suivie et les conditions du voyage sont de nature à ne rendre l'application de la totalité des prescriptions du présent Chapitre ni raisonnable ni nécessaire, dispenser de ces prescriptions dans la mesure correspondante des navires déterminés ou des catégories de navires appartenant à ce pays et qui, au cours de leur voyage, ne s'éloignent pas de plus de 20 milles de la terre la plus proche.

4. Dans le cas de navires à passagers existants à propulsion mécanique effectuant des voyages internationaux et ne satisfaisant pas, actuellement, aux prescriptions du présent Chapitre relatives aux navires à passagers neufs, les mesures à prendre pour chaque navire doivent être déterminées par l'Administration du pays auquel il appartient, de manière à obtenir, autant que cela sera pratiquement possible et raisonnable, l'application, au plus tard pour le 1^{er} juillet 1931, des principes généraux posés dans l'Article 13, et une application convenable des autres prescriptions du présent Chapitre.

5. Pour les navires à passagers à propulsion mécanique effectuant des voyages internationaux, qui sont utilisés à des transports spéciaux d'un grand nombre de passagers sans installation de couchettes, comme, par exemple, le transport de pèlerins, une Administration peut, si elle juge qu'il est pratiquement impossible d'appliquer les prescriptions du présent Chapitre, dispenser ces navires des prescriptions en question, sous les conditions suivantes:

(a.) On doit appliquer, dans la plus large mesure compatible avec les circonstances du trafic, les prescriptions relatives aux embarcations de sauvetage et aux autres engins de sauvetage ainsi qu'à la protection contre l'incendie.

(b.) That all such boats and apparatus shall be readily available within the meaning of Article 13.

(c.) That a life-jacket shall be provided for every person on board.

(d.) That steps shall be taken to formulate general rules which shall be applicable to the particular circumstances of these trades. Such rules shall be formulated in concert with such other Contracting Governments, if any, as may be directly interested in the carriage of such passengers.

ARTICLE 13.

Lifeboats and Buoyant Apparatus.

Lifeboats and buoyant apparatus.

The general principles governing the provision of lifeboats and buoyant apparatus in a ship to which this Chapter applies are that they shall be readily available in case of emergency and shall be adequate.

1. To be readily available, the lifeboats and buoyant apparatus must comply with the following conditions:—

(a.) They must be capable of being got into the water safely and rapidly even under unfavourable conditions of list and trim.

(b.) It must be possible to embark the passengers in the boats rapidly and in good order.

(c.) The arrangement of each boat and article of buoyant apparatus must be such that it will not interfere with the operation of other boats and buoyant apparatus.

2. To be adequate, the provision of lifeboats and buoyant apparatus must satisfy the following conditions:—

(a.) Subject to the provisions of sub-paragraph (b) of this paragraph there must be accommodation in boats for all persons on board, and there must, in addition, be buoyant apparatus for 25 per cent. of the persons on board.

(b.) In the case of passenger ships engaged on short international voyages, the boats must be provided in accordance with the requirements set out in the table in Regulation XXXIX, and there must be, in addition, buoyant apparatus so that the boats and buoyant apparatus together provide accommodation for all on board as set out in Regulation XXXVIII. There must, in addition, be buoyant apparatus for 10 per cent. of the persons on board.

Post, p 1252.

(c.) No more boats shall be required on any passenger ship than are sufficient to accommodate all persons on board.

ARTICLE 14.

Ready Availability and Adequacy.

Ready availability and adequacy

Arrangements for securing.

The arrangements for securing the principles of ready availability and adequacy mentioned in Article 13 shall be in accordance with the provisions of Regulations XXXVII, XXXVIII and XXXIX.

Post, p 1216.

(b.) Toutes ces embarcations et tous ces engins de sauvetage doivent être rapidement disponibles dans le sens de l'Article 13.

(c.) Il doit y avoir une brassière de sauvetage pour chaque personne présente à bord.

(d.) Des dispositions doivent être prises, pour formuler des prescriptions générales qui doivent s'appliquer au cas particulier de ce genre de trafic. Ces prescriptions doivent être formulées d'accord avec ceux des autres Gouvernements contractants, s'il y en a, qui peuvent être directement intéressés au transport de ces passagers.

ARTICLE 13.

Embarcations de Sauvetage et Engins flottants.

Les principes généraux qui règlent l'armement en embarcations de sauvetage et en engins flottants d'un navire régi par le présent Chapitre sont qu'ils doivent être promptement disponibles en cas d'urgence et qu'ils doivent être adéquats.

1. Pour être promptement disponibles, les embarcations de sauvetage et engins flottants doivent remplir les conditions suivantes:

(a.) On doit pouvoir les mettre à l'eau sûrement et rapidement, même dans des conditions défavorables de bande et d'assiette.

(b.) Il doit être possible d'embarquer les passagers dans les embarcations rapidement et en bon ordre.

(c.) L'installation de chaque embarcation et de chaque engin flottant doit être telle qu'elle ne gêne pas la manœuvre des autres embarcations ou engins flottants.

2. Pour être adéquat, l'armement du navire en embarcations de sauvetage et engins flottants doit réaliser les conditions suivantes:

(a.) Sous réserve des prescriptions de l'alinéa (b) du présent paragraphe, il doit y avoir dans les embarcations une place pour chaque personne présente à bord, et, en outre, des engins flottants pour 25 pour cent des personnes présentes à bord.

(b.) Dans le cas de navires à passagers effectuant des voyages internationaux courts, des embarcations doivent être installées de façon à satisfaire aux prescriptions insérées au tableau qui figure à la Règle XXXIX; en outre, il doit y avoir des engins flottants en quantité telle que l'ensemble des embarcations et des engins flottants puisse recevoir le total des personnes présentes à bord, ainsi qu'il est dit à la Règle XXXVIII. Enfin, il doit y avoir, en plus, des engins flottants pour 10 pour cent des personnes présentes à bord.

(c.) Sur aucun navire à passagers, il ne peut être exigé plus d'embarcations qu'il n'est nécessaire pour recevoir toutes les personnes présentes à bord.

ARTICLE 14.

Conditions pour que les Engins de Sauvetage soient promptement disponibles et adéquats.

Afin de réaliser les principes établis à l'Article 13 pour que les engins de sauvetage soient promptement disponibles et adéquats, ceux-ci doivent satisfaire aux prescriptions des Règles XXXVII, XXXVIII et XXXIX.

ARTICLE 15.

Standard types of Boats. Life Rafts. Buoyant Apparatus.

Lifeboats, rafts, and
buoyant apparatus

Standard types
Post, p 1228.

All the lifeboats, life rafts and buoyant apparatus shall comply with the conditions fixed by this Convention and Regulations XXIV to XXIX.

ARTICLE 16.

Construction of Boats.

Construction of
boats

All boats must be properly constructed, and shall be of such form and proportion that they shall have ample stability in a seaway, and sufficient freeboard when loaded with their full complement of persons and equipment.

Each boat must be of sufficient strength to enable it to be safely lowered into the water when loaded with its full complement of persons and equipment.

ARTICLE 17.

Embarkation of the Passengers in the Boats.

Passenger embarkation

Suitable arrangements shall be made for embarking the passengers in the boats at an embarkation deck. There shall also be a suitable ladder provided at each set of davits.

ARTICLE 18.

Capacity of Boats and Life Rafts.

Capacity of boats
and life rafts

Post, p 1236.

The number of persons that a boat of one of the standard types or an approved life raft or buoyant apparatus can accommodate and the conditions of approval of life rafts and buoyant apparatus shall be ascertained in accordance with the provisions of Regulations XXX to XXXV inclusive.

ARTICLE 19.

Equipment of Boats and Life Rafts.

Equipment
Post, p 1244

Regulation XXXVI prescribes the equipment for boats and life rafts.

ARTICLE 20.

Life-jackets and Life-buoys.

Life-jackets and life-
buoys

1. Every ship to which this Chapter applies shall carry for every person on board a life-jacket of a type approved by the Administration, and in addition, unless these life-jackets can be adapted for use by children, a sufficient number of life-jackets suitable for children.

Type
Post, p. 1254.

2. Every such ship shall also carry life-buoys of a type approved as aforesaid to the number required by Regulation XL.

ARTICLE 15.

Types réglementaires d'Embarcations. Radeaux de Sauvetage. Engins flottants.

Toutes les embarcations de sauvetage, les radeaux de sauvetage et les engins flottants doivent satisfaire aux conditions fixées par la présente Convention, ainsi que par les Règles XXIV à XXIX inclus.

ARTICLE 16.

Construction des Embarcations.

Toutes les embarcations doivent être bien construites et avoir des formes et des proportions qui leur assurent une large stabilité à la mer et un franc bord suffisant, lorsqu'elles sont en charge avec toutes les personnes qu'elles doivent recevoir et tout leur armement.

Chaque embarcation doit présenter une solidité suffisante pour pouvoir sans danger être mise à l'eau avec son plein chargement en personnes et en armement.

ARTICLE 17.

Accès des Passagers aux Embarcations.

Des dispositions convenables doivent être prises pour permettre l'accès des passagers, d'un pont d'embarquement, dans les embarcations. Il doit y avoir en outre une échelle convenable à chaque paire de bossoirs.

ARTICLE 18.

Capacité des Embarcations et Radeaux de Sauvetage.

Le nombre de personnes qu'une embarcation d'un des types réglementaires ou un radeau de sauvetage approuvé ou un engin flottant peut recevoir et les conditions auxquelles un radeau de sauvetage ou un engin flottant peut être approuvé sont déterminés conformément aux prescriptions des Règles XXX à XXXV inclus.

ARTICLE 19.

Armement des embarcations et radeaux de sauvetage.

La Règle XXXVI fixe l'armement des embarcations et des radeaux de sauvetage.

ARTICLE 20.

Brassières de Sauvetage et Bouées de Sauvetage.

1. Tous les navires auxquels s'applique le présent chapitre doivent avoir, pour chaque personne présente à bord, une brassière de sauvetage d'un type approuvé par l'Administration et, en outre, un nombre convenable de brassières spéciales pour enfants à moins que les brassières précédentes ne puissent être ajustables à la taille des enfants.

2. Tous ces navires doivent également avoir des bouées de sauvetage d'un type approuvé comme ci-dessus, et dont le nombre est fixé par la Règle XL.

Post, p. 1254

3. A life-jacket or life-buoy shall not be approved by an Administration unless it satisfies the requirements of Regulation XL applicable to life-jackets and life-buoys respectively.

4. In this Article the expression "life-jacket" includes any appliance capable of being fitted on the body, having the same buoyancy as a life-jacket.

ARTICLE 21.

Means of Ingress and Egress. Emergency Lighting.

Ingress and egress

1. Proper arrangements shall be made for ingress to and egress from the different compartments, decks, &c.

Emergency lighting.

2. Provision shall be made for an electric or other system of lighting, sufficient for all requirements of safety, in the different parts of the ship, and particularly upon the decks on which the lifeboats are stowed. On ships in which the boat deck is more than 9·15 metres (30 feet) above the waterline at the lightest seagoing draught, provision shall be made for the illumination from the ship of the lifeboats when alongside and in process of or immediately after being launched. There must be a self-contained source capable of supplying, when necessary, this safety lighting system, and placed in the upper parts of the ship above the bulkhead deck.

Lighting exits, etc

3. The exit from every main compartment occupied by passengers or crew shall be continuously lighted by an emergency lamp. The power for these emergency lamps shall be so arranged that they will be supplied from the independent installation referred to in the preceding paragraph in the event of failure of the main generating plant.

ARTICLE 22.

Certificated Lifeboatmen. Manning of the Boats.

Certificated lifeboatmen.

1. In every ship to which this Chapter applies there must be, for any boat or life raft carried in order to comply with this Chapter, such number of certificated lifeboatmen as is required by Regulation XLI for that boat.

Post, p. 1256

Allocation to boats and life rafts

2. The allocation of the certificated lifeboatmen to each boat and life raft remains within the discretion of the master, according to the circumstances.

Term defined

3. By "certificated lifeboatman" is meant any member of the crew who holds a certificate of efficiency issued under the authority of the Administration in accordance with the conditions laid down in the afore-mentioned Regulation.

Manning of the boats
Post, p. 1256.

4. The manning of the boats shall be as prescribed in Regulation XLII.

ARTICLE 23.

Line-Throwing Appliances.

Line-throwing appliances.

Every ship to which this Chapter applies shall carry a line-throwing appliance of a type approved by the Administration.

3. Une brassière de sauvetage ou une bouée de sauvetage ne peut être approuvée par une Administration si elle ne satisfait aux prescriptions de la Règle XL applicables aux brassières de sauvetage ou aux bouées de sauvetage suivant le cas.

4. Dans le présent article l'expression "brassière de sauvetage" s'entend de tout dispositif capable de s'appliquer au corps et ayant la flottabilité d'une brassière de sauvetage réglementaire.

ARTICLE 21.

Circulation des Personnes. Eclairage de Secours.

1. Des dispositions appropriées doivent être prises pour l'entrée et pour la sortie des différents compartiments, entreponts, &c.

2. Un éclairage électrique ou autre, suffisant pour satisfaire à toutes les exigences de la sécurité, doit être prévu dans les diverses parties du navire et particulièrement sur les ponts où se trouvent les embarcations de sauvetage. Sur les navires où le pont des embarcations est à plus de 9 mètres 15 (30 pieds) de la flottaison correspondant au tirant d'eau minimum à la mer, des dispositions doivent être prises pour éclairer les embarcations, depuis le navire et le long du bord, pendant la manœuvre de mise à l'eau et immédiatement après cette manœuvre. Il doit exister une source autonome capable d'alimenter, le cas échéant, les appareils de cet éclairage de sécurité et placée dans les régions supérieures du navire, au dessus du pont de cloisonnement.

3. La sortie de chaque compartiment occupé par les passagers ou l'équipage doit être éclairée en permanence par un fanal de secours. Ces fanaux de secours doivent pouvoir être alimentés par la source autonome visée au précédent paragraphe, en cas d'arrêt de la source normale d'éclairage du navire.

ARTICLE 22.

Canotiers brevetés. Personnel des Embarcations.

1. Sur tout navire auquel s'applique le présent chapitre il doit y avoir, pour chaque embarcation ou radeau de sauvetage installé en exécution des prescriptions du dit chapitre, un nombre de canotiers brevetés déterminé par les prescriptions de la Règle XLI qui concernent cette embarcation ou ce radeau de sauvetage.

2. Le capitaine du navire reste maître, suivant les circonstances, de l'affectation numérique des canotiers brevetés à chaque embarcation et radeau de sauvetage.

3. On entend par "canotier breveté" tout homme de l'équipage muni d'un brevet d'aptitude délivré au nom de l'Administration dans les conditions prévues à la dite Règle.

4. L'organisation du personnel des embarcations doit être conforme à la Règle XLII.

ARTICLE 23.

Appareil porte-amarre.

Chaque navire auquel s'applique ce Chapitre doit être muni d'un appareil porte-amarre d'un modèle approuvé par l'Administration.

ARTICLE 24.

Dangerous Goods. Fire Protection.

Carriage of dangerous goods.

1. The carriage, either as cargo or ballast, of goods which by reason of their nature, quantity, or mode of stowage, are, either singly or collectively, liable to endanger the lives of the passengers or the safety of the ship, is forbidden.

Exceptions

This provision does not apply to the ship's distress signals, nor to the carriage of naval or military stores for the public service of the State under conditions authorised by the Administration.

Precautions to be taken.

Each Administration shall, from time to time by official notice, determine what goods are to be considered dangerous goods, and shall indicate the precautions which must be taken in the packing and stowage thereof.

Post, p 1256.

2. The arrangements to be made for the detection and extinction of fire shall be as prescribed in Regulation XLIII.

ARTICLE 25.

Muster Roll and Drills.

Muster roll and drills

Special duties for the event of an emergency shall be allotted to each member of the crew.

The muster list shall show all these special duties and shall indicate, in particular, the station to which each man must go, and the duties that he has to perform.

Before the vessel sails, the muster list shall be drawn up and exhibited, and the proper authority shall be satisfied that the muster list has been prepared for the ship. It shall be posted in several parts of the ship, and in particular in the crew's quarters.

Post, p 1262.

Regulations XLIV and XLV prescribe the conditions under which musters of the crew and drills shall take place.

Chapter IV—Radiotelegraphy.

CHAPTER IV.—RADIOTELEGRAPHY.

ARTICLE 26.

Application and Definition.

Application

1. This Chapter applies to all ships engaged on international voyages except cargo ships of less than 1,600 tons gross tonnage.

Definition.

2. For the purposes of this Chapter a cargo ship means any ship not being a passenger ship.

ARTICLE 27.

Fitting of Radio Installation.

Radio installation.
Post, p 1154.

1. All ships to which this Chapter applies shall, unless exempted under Article 28, be fitted with a radiotelegraph installation complying with the provisions of Article 31, as follows:—

(a.) All passenger ships, irrespective of size.

(b.) All cargo ships of 1,600 tons gross tonnage and upwards.

ARTICLE 24.

Marchandises dangereuses. Mesures contre l'Incendie.

1. Il est interdit d'embarquer, comme lest ou comme cargaison, des matières susceptibles, isolément ou dans leur ensemble, de mettre en danger la vie des passagers ou la sécurité du navire, par leur nature, leur quantité ou leur mode d'arrimage.

Cette prohibition ne s'applique ni au matériel destiné aux signaux de détresse du navire lui-même, ni aux approvisionnements navals ou militaires pour le service de l'État dans les conditions où le transport de ces approvisionnements est autorisé par l'Administration.

La détermination des matières à considérer comme dangereuses et l'indication des précautions obligatoires à prendre dans leur emballage et leur arrimage feront l'objet d'instructions officielles et périodiques de la part de chaque Administration.

2. La Règle XLIII indique les dispositions à prendre pour la découverte et l'extinction de l'incendie.

ARTICLE 25.

Rôle d'Alarme et Exercices.

Une consigne particulière d'alarme sera donnée à chaque homme de l'équipage.

Le rôle d'appel en cas d'alarme reproduit toutes les consignes particulières; il indique, notamment, le poste auquel chaque homme doit se rendre et les fonctions qu'il a à remplir.

Avant l'appareillage, le rôle d'appel est établi et mis à jour, et l'autorité qualifiée doit être mise à même d'en constater l'existence. Il est affiché bien en vue dans plusieurs endroits du bâtiment, notamment dans les locaux affectés à l'équipage.

Les conditions dans lesquelles on doit procéder aux appels et aux exercices de l'équipage sont prescrites par les Règles XLIV et XLV.

CHAPITRE IV.—RADIOTÉLÉGRAPHIE.

ARTICLE 26.

Application et Définition.

1. Le présent Chapitre s'applique à tous les navires qui effectuent des voyages internationaux, à l'exception des navires de charge de moins de 1,600 tonneaux de jauge brute.

2. Pour l'application du présent Chapitre, tout navire qui n'est pas un navire à passagers est un navire de charge.

ARTICLE 27.

Installation d'Appareils radiotélégraphiques.

1. Tous les navires auxquels s'applique le présent Chapitre devront, s'ils n'en sont pas dispensés en vertu de l'Article 28, être munis d'une installation radiotélégraphique conforme aux dispositions de l'Article 31, ainsi qu'il est dit ci-après:

(a.) Tous les navires à passagers, quelles que soient leurs dimensions.

(b.) Tous les navires de charge de 1,600 tonneaux de jauge brute et au-dessus.

2. Each Administration may delay the application of the provisions of paragraph 1 (b) to cargo ships belonging to its country of less than 2,000 tons gross tonnage for a period not exceeding five years from the date of the coming into force of the present Convention.

ARTICLE 28.

Exemptions from the Requirements of Article 27.

Exemptions.

1. Each Administration may, if it considers that the route and the conditions of the voyage are such as to render a radiotelegraph installation unreasonable or unnecessary, exempt ships belonging to its country from the requirements of Article 27 as follows:—

I.—Passenger ships.

Passenger ships

(a.) Individual passenger ships or classes of passenger ships which, in the course of their voyage, do not go more than—

(i) 20 miles from the nearest land;

or

(ii) 200 miles in the open sea between two consecutive ports.

(b.) Passenger ships which make voyages entirely within the restricted areas specified in the Annex to this Article.

II.—Cargo Ships.

Cargo ships, etc.

Individual cargo ships or classes of cargo ships which, in the course of their voyage, do not go more than 150 miles from the nearest land.

2. Each Administration may, in addition, exempt ships belonging to its country of the following classes:—

I.—Barges in tow and existing sailing ships.

An existing sailing ship is one the keel of which is laid before the 1st July, 1931.

II.—Ships of primitive build, such as dhows, junks, &c., if it is practically impossible to fit them with a radiotelegraph installation.

Occasional international voyages.

III.—Ships which are not normally engaged on international voyages, but which in exceptional circumstances are required to undertake a single voyage of that kind.

ANNEX TO ARTICLE 28.

Routes and voyages.

1. The Baltic Sea and approaches thereto East of a line drawn from Utsire (Norway) in the North to Texel (Netherlands) in the South, outside the territorial jurisdiction of the Union of Socialist Soviet Republics.

2. The portions of the Gulf of Tartary and the Sea of Okhotsk covered in voyages between ports in Hokkaido and ports in Japanese Sakhalin.

3. The Chosen (Tyosen) Strait between a line in the North drawn from Kawajiri Misaki (Cape Natsungu) to Fusan, and a line in the South drawn from Nagasaki to Giffard Island (off the South-West point of Quelpart Island) and thence to Tin To (Amherst Island).

2. Toute Administration d'un pays a la faculté de différer l'application des dispositions du paragraphe 1 (b) précédent, aux navires de charge de moins de 2,000 tonneaux de jauge brute appartenant à ce pays, pendant une période ne dépassant pas cinq ans à partir de la date de mise en vigueur de la présente Convention.

ARTICLE 28.

Dispenses aux Prescriptions de l'Article 27.

1. Toute Administration d'un pays peut, si elle juge que la route suivie et les conditions du voyage sont telles qu'une installation radiotélégraphique n'est ni raisonnable ni nécessaire, dispenser des prescriptions de l'Article 27 les navires appartenant à ce pays:

I. Navires à passagers.

(a) certains navires à passagers individuellement ou par catégorie lorsqu'au cours de leur voyage:

(i) ils ne s'éloignent pas de plus de 20 milles de la terre la plus proche,

ou

(ii) ils n'effectuent pas une traversée de plus de 200 milles en pleine mer, entre deux ports consécutifs.

(b) certains navires à passagers qui naviguent exclusivement en deçà des zones dont les limites sont déterminées à l'Annexe du présent Article.

II. Navires de charge.

Certains navires de charge, individuellement ou par catégorie, qui, au cours de leur voyage, ne s'éloignent pas de plus de 150 milles de la terre la plus proche.

2. Toute Administration d'un pays peut, en outre, dispenser les navires appartenant à ce pays et compris dans les catégories suivantes:

I.—Les chalands remorqués et les navires à voiles existants.

Par navire à voiles existant, il faut entendre un navire à voiles dont la quille a été posée avant la date du 1^{er} juillet 1931.

II.—Les navires de construction primitive, tels que les dhows, les jonques, &c., s'il est pratiquement impossible de les munir d'une installation radiotélégraphique.

III.—Les navires qui n'effectuent pas normalement des voyages internationaux, mais qui, dans des circonstances exceptionnelles, sont obligés d'entreprendre un seul voyage de cette nature.

ANNEXE À L'ARTICLE 28.

1. La Baltique et ses abords à l'est d'une ligne tracée d'Utsire (Norvège) au Nord, jusqu'au Texel (Pays-Bas) au sud, en dehors de la juridiction territoriale de l'Union des Républiques Soviétistes Socialistes.

2. La partie du Golfe de Tartarie et de la Mer d'Okhotsk intéressant les voyages effectués entre des ports de Hokkaido et des ports dans le Sakhalin Japonais.

3. Le détroit de Chosen (Tyosen) délimité au Nord par une ligne tracée du Cap Natsungu (Kawajiri Misaki) jusqu'à Fusan et au sud par une ligne allant de Nagasaki à l'Ile Giffard (à hauteur de la pointe sud-ouest de l'Ile Quelpart) et de là, à Tin To (Ile Amherst).

4. The Yellow Sea North of Parallel 37° North.
5. The Formosa Strait between a line in the North drawn from Fuki Kaku (Syauki Point) to Foochow and a line in the South drawn from South Cape (the South point of Formosa) to Hong Kong.

6. The area within the following limits:—

Parallel 10° N. from long. 94° E. to the coast of Asia, coast of Asia to Saigon (Cape Tiwan), straight lines between Cape Tiwan, lat. 4° 30' N. long. 110° E., south point of Palawan Island, Palmas (Miangas) Island, lat. 0° long. 140° E., lat. 0° long. 148° E., lat. 10° S. long. 148° E., Cape York, north coast of Australia from Cape York to Port Darwin (Cape Charles), straight lines between Cape Charles, Ashmore Reef (East Island), lat. 10° S. long. 109° E., Christmas Island, lat. 2° N. long. 94° E., lat. 10° N. long. 94° E., outside the territorial jurisdiction of Australia and of the United States of America.

7. The Caribbean Sea, outside the territorial jurisdiction of the United States of America, in relation to voyages made by sailing ships only.

8. The area of the South Pacific Ocean bounded by the Equator, Meridian 130° W., Parallel 34° S., and the coast of Australia, outside the territorial jurisdiction of Australia.

9. The Tong King Gulf and portions of the China Sea lying to the West of a line drawn from Hong Kong to Lat. 17° N. Long. 110° E., thence due South to Latitude 10° N., and thence West to Saigon.

10. The portions of the Indian Ocean covered in voyages between ports in Madagascar, Reunion and the Mauritius Islands.

11. The portions of the North Atlantic Ocean and Mediterranean Sea covered in voyages between Casablanca (Morocco) and Oran (Algeria) and intermediate ports.

ARTICLE 29.

Watches.

Watches.

1. Passenger Ships.

Passenger ships.
Radio operator, etc
Ante, p. 1146

Each passenger ship which, in accordance with Article 27, is required to be fitted with a radiotelegraph installation, shall, for safety purposes, carry a qualified operator, and, if not fitted with an auto-alarm, shall, whilst at sea, keep watches by means of a qualified operator or a certified watcher, as under:—

- (a.) All passenger ships under 3,000 tons gross tonnage, as determined by the Administration concerned;
- (b.) All passenger ships of 3,000 tons gross tonnage and over, continuous watch.

4. La Mer Jaune au nord du 37^{ème} degré de latitude nord.

5. Le détroit de Formose délimité au Nord par une ligne tracée de la pointe Syaui (Fuki Kaku) jusqu'à Fou Tcheou et au Sud par une ligne tracée de South Cape (la pointe sud de Formose) jusqu'à Hong-Kong.

6. La zone comprise dans les limites suivantes:

Le parallèle du 10^{ème} degré Nord à partir du 94^{ème} degré de longitude Est jusqu'à la Côte d'Asie, la côte d'Asie jusqu'à Saïgon (Cap Tiwan), les lignes droites tracées entre le Cap Tiwan, 4^{ème} degré 30 minutes de latitude Nord, 110^{ème} degré de longitude Est, pointe sud de l'île Palawan, île Palmas (Miangas) l'équateur entre le 140^{ème} et le 148^{ème} degré de longitude Est, 10^{ème} degré de latitude Sud, 148^{ème} degré de longitude Est, le Cap York, la côte nord de l'Australie du Cap York jusqu'à Port Darwin (Cap Charles), les lignes droites tracées entre le Cap Charles, Ashmore Reef (East Island), 10^{ème} degré de latitude Sud, 109^{ème} degré de longitude Est, Christmas Island, 2^{ème} degré de latitude Nord, 94^{ème} degré de longitude Est, 10^{ème} degré de latitude Nord, 94^{ème} degré de longitude Est en dehors de la juridiction territoriale de l'Australie et des États Unis d'Amérique.

7. La Mer des Caraïbes, en dehors de la juridiction territoriale des États-Unis d'Amérique, en ce qui concerne les voyages effectués par les navires à voiles seulement.

8. La zone de l'Océan Pacifique sud limitée par l'équateur, le méridien du 130^{ème} degré Ouest, le parallèle du 34^{ème} degré Sud, et la côte d'Australie, en dehors de la juridiction territoriale de l'Australie.

9. Le golfe du Tonkin et la partie de la Mer de Chine qui se trouve à l'Ouest d'une ligne tracée de Hong-Kong jusqu'au point situé par 17 degrés de latitude Nord et 110 degrés de longitude Est, puis de là au Sud jusqu'à la rencontre du 10^{ème} degré de latitude Nord, et de là, à l'Ouest jusqu'à Saïgon.

10. La partie de l'Océan Indien intéressant les voyages effectués entre les ports de Madagascar, la Réunion et les îles Maurice.

11. La partie de l'Atlantique Nord et celle de la Méditerranée intéressant les voyages effectués entre Casablanca (Maroc) et Oran (Algérie) et les ports intermédiaires.

ARTICLE 29.

Services d'Écoute.

1. Navires à passagers.

Tout navire à passagers obligatoirement muni d'une installation radiotélégraphique, en vertu de l'Article 27, est tenu, au point de vue de la sécurité, d'avoir à bord un opérateur qualifié, et, s'il n'est pas pourvu d'un auto-alarme, d'assurer, lorsqu'il est à la mer, un service d'écoute au moyen d'un opérateur qualifié ou d'un écouteur breveté, dans les conditions suivantes:

- (a.) A bord de tous les navires à passagers d'une jauge brute inférieure à 3000 tonnes, ce service d'écoute sera déterminé par l'Administration intéressée;
- (b.) A bord de tous les navires à passagers d'une jauge brute de 3000 tonnes et au-dessus, ce service d'écoute sera permanent.

Each Administration is authorised to exempt passenger ships belonging to its country from 3,000 tons to 5,500 tons gross tonnage, both included, from the requirement of a continuous watch for a period not exceeding one year from the date of the coming into force of the present Convention, provided that during the period of such exemption they shall maintain a watch of at least 8 hours per day.

2. *Cargo Ships.*

Cargo ships.

Each cargo ship which, in accordance with Article 27, is required to be fitted with a radiotelegraph installation, shall, for safety purposes, carry a qualified operator, and, if not fitted with an auto-alarm, shall, whilst at sea, keep watches by means of a qualified operator or a certified watcher, as under:—

- (a.) All cargo ships under 3,000 tons gross tonnage, as determined by the Administration concerned;
- (b.) Cargo ships from 3,000 to 5,500 tons gross tonnage, both included, at least 8 hours' watch per day;
- (c.) Cargo ships over 5,500 tons gross tonnage, continuous watch.

Each Administration is authorised to exempt ships belonging to its country included in (c) above from the requirement of a continuous watch for a period not exceeding one year from the date of the coming into force of the present Convention, provided that during the period of such exemption they shall maintain a watch of at least 8 hours per day.

Each Administration is also authorised to exempt ships belonging to its country from 5,500 tons to 8,000 tons gross tonnage from the requirement of a continuous watch for a further period of one year, provided that during this further period of exemption they shall maintain a watch of at least 16 hours per day.

Auto-alarm.

3. On all ships fitted with an auto-alarm this auto-alarm shall, whilst the ship is at sea, always be in operation when the operator or watcher is not on watch.

On ships for which the hours of watch are to be determined by the Administration concerned, such watch should be maintained preferably at hours prescribed for radiotelegraph service by the International Radiotelegraph Convention in force.

On ships which are required to keep 8 hours' or 16 hours' watch per day, such watch shall be maintained at the hours prescribed for radiotelegraph service by the International Radiotelegraph Convention in force.

Toute Administration d'un pays est autorisée à exempter de l'obligation de l'écoute permanente tous les navires à passagers appartenant à ce pays dont la jauge brute est comprise entre 3,000 tonneaux inclus et 5,500 tonneaux inclus, pendant une période ne dépassant pas un an à partir de la date de mise en vigueur de la présente Convention, sous réserve que, pendant cette période de dispense, ils effectueront une écoute d'au moins 8 heures par jour.

2. Navires de charge.

Tout navire de charge obligatoirement muni d'une installation radiotélégraphique en vertu de l'Article 27, est tenu, au point de vue de la sécurité, d'avoir à bord un opérateur qualifié et, s'il n'est pas pourvu d'un auto-alarme, d'assurer, lorsqu'il est à la mer, un service d'écoute au moyen d'un opérateur qualifié ou d'un écouteur breveté, dans les conditions suivantes:

- (a.) A bord des navires de charge d'une jauge brute de moins de 3000 tonneaux, ce service d'écoute sera déterminé par l'Administration intéressée;
- (b.) A bord des navires de charge d'une jauge brute de 3000 à 5500 tonneaux inclus, ce service d'écoute sera d'au moins huit heures par jour;
- (c.) Pour les navires de charge d'une jauge brute de plus de 5500 tonneaux, ce service d'écoute sera permanent.

Toute Administration d'un pays est autorisée à dispenser les navires appartenant à ce pays et visés à l'alinéa (c) de l'obligation de l'écoute permanente pendant une période ne dépassant pas un an à partir de la date de mise en vigueur de la présente Convention, sous réserve que, pendant cette période de dispense, ils assureront une écoute d'au moins huit heures par jour.

Toute Administration d'un pays est également autorisée à dispenser de l'obligation de l'écoute permanente, les navires appartenant à ce pays dont la jauge brute est supérieure à 5500 tonneaux et égale ou inférieure à 8000 tonneaux, pendant une autre période d'un an, sous réserve que pendant cette nouvelle période de dispense, ils assureront une écoute d'au moins 16 heures par jour.

3. A bord de tous les navires pourvus d'un auto-alarme, cet appareil devra, tant que le navire sera à la mer, être toujours en service lorsque l'opérateur ou l'écouteur ne fera pas l'écoute.

A bord des navires dont les heures d'écoute sont déterminées par l'Administration intéressée, cette écoute devra être assurée de préférence à des heures prescrites pour le service radiotélégraphique par la Convention Radiotélégraphique Internationale en vigueur.

A bord des navires tenus d'effectuer une écoute de huit heures ou de seize heures par jour, cette écoute sera assurée aux heures prescrites pour le service radiotélégraphique par la Convention Radiotélégraphique Internationale en vigueur.

Definitions.
45 Stat. 2871.

4. By *auto-alarm* is meant an automatic alarm receiver which complies with the requirements of Article 19, § 21, of the General Regulations annexed to the International Radiotelegraph Convention, 1927.

5. By *qualified operator* is meant a person holding a certificate complying with the provisions of the General Regulations annexed to the International Radiotelegraph Convention in force.

6. By *certified watcher* is meant any person holding a watcher's certificate issued under the authority of the Administration.

ARTICLE 30.

Watchers.

Watchers

1. A watcher's certificate shall not be granted by a Contracting Government unless the applicant proves that he is capable—

(a) of receiving and understanding the alarm, distress, safety and urgency signals when these signals occur among a series of other signals;

(b) of correct reception by ear of code groups (mixed letters, figures and punctuation marks) at a speed of sixteen groups per minute, each group being composed of five characters and each figure or punctuation mark counting as two characters;

(c) of regulating the receivers used in the ship's radiotelegraph installation.

2. The Contracting Governments undertake to take steps to ensure that certified watchers observe the secrecy of correspondence.

ARTICLE 31.

Technical Requirements.

Technical require-
ments
Ante, p. 1148.
Post, p. 1170.

The radiotelegraph installations required by Article 27 above and the direction-finding apparatus required by Article 47 shall comply with the following requirements:—

1. The ship's station must be placed in accordance with the detailed Regulations of the Government of the country to which the ship belongs, in the upper part of the ship in a position of the greatest possible safety, as high as practicable above the deepest load water line.

2. There shall be provided, between the bridge of the ship and the wireless telegraph room, means of communication either by voice pipe or by telephone or in some other manner equally efficient.

3. A reliable clock with a seconds hand must be provided in the wireless telegraph room.

4. A reliable emergency light must be provided in the wireless telegraph room.

5. The installation shall comprise a main installation and an emergency (reserve) installation. If, however, the main installation complies with all the requirements of an emergency (reserve) installation the latter is not then obligatory.

4. Par *auto-alarme*, on entend un appareil récepteur automatique d'alarme remplissant les conditions prescrites à l'Article 19, paragraphe 21, du Règlement Général annexé à la Convention Radiotélégraphique Internationale de 1927.

5. Par *opérateur qualifié*, on entend toute personne possédant un certificat répondant aux dispositions du Règlement Général annexé à la Convention Radiotélégraphique Internationale en vigueur.

6. Par *écouteur breveté*, on entend toute personne possédant un brevet d'écouteur délivré par les soins de l'Administration.

ARTICLE 30.

Écouteurs.

1. Tout Gouvernement contractant ne délivrera le brevet d'écouteur qu'après avoir constaté que le candidat est capable:

(a) de recevoir et de comprendre les signaux d'alarme, de détresse, de sécurité et d'urgence lorsque ces signaux sont transmis au milieu de séries d'autres signaux;

(b) d'assurer la réception auditive correcte de groupes de code (mélange de lettres, de chiffres et de signes de ponctuation) à la vitesse de 16 groupes par minute. Chaque groupe de code doit comprendre cinq caractères, chaque chiffre ou signe de ponctuation comptant pour deux caractères;

(c) de régler les récepteurs utilisés dans l'installation radiotélégraphique du navire.

2. Les Gouvernements contractants s'engagent à prendre des mesures pour que les écouteurs brevetés observent le secret de la correspondance.

ARTICLE 31.

Conditions techniques requises.

Les installations radiotélégraphiques prescrites par l'Article 27 et les appareils radiogoniométriques rendus obligatoires par l'Article 47, doivent satisfaire aux conditions suivantes:

1. La station de bord doit être située, conformément aux règlements détaillés du Gouvernement du pays dont relève le navire, dans la partie supérieure du navire, de manière à se trouver dans les meilleures conditions de sécurité et aussi haut que possible au-dessus de la ligne de charge maximum.

2. La passerelle de navigation et la cabine de radiotélégraphie doivent être reliées soit par tube acoustique, soit par téléphone, soit par tout autre moyen de communication aussi efficace.

3. La cabine de radiotélégraphie devra être pourvue d'une montre ou d'une pendule à secondes fonctionnant convenablement.

4. Un éclairage de secours efficace doit être installé dans la cabine de radiotélégraphie.

5. L'installation doit comprendre une installation principale et une installation de secours (réserve). Toutefois, si l'installation principale remplit toutes les conditions d'une installation de secours (réserve), cette dernière n'est pas dans ce cas obligatoire.

6. The main and emergency (reserve) installations must be capable of transmitting and receiving on the frequencies (wave lengths) and types of waves assigned by the International Radiotelegraph Convention in force for the purpose of distress and safety of navigation to ships compulsorily fitted with radiotelegraph installations in accordance with the present Convention.

7. The main and emergency (reserve) transmitters shall have a note frequency of at least 100.

8. The main transmitter shall have a *normal range* of 100 nautical miles, that is to say, it must be capable of transmitting clearly perceptible signals from ship to ship over a range of at least 100 nautical miles by day under normal conditions and circumstances, the receiver being assumed to be one employing a rectifier of the crystal type without amplification.*

9. Sufficient power must be available in a ship station at all times to operate the main radiotelegraph installation efficiently under normal conditions over the above range.

10. All parts of the emergency (reserve) installation shall be placed in the upper part of the ship, in a position of the greatest possible safety, as high above the deepest load water line as practicable. The emergency (reserve) installation must be provided with a source of energy independent of the propelling power of the ship and of the main electricity system and must be capable of being put into operation rapidly and of working for at least six continuous hours.

For the emergency (reserve) installation, the normal range as defined in paragraph 8 above must be at least 80 nautical miles for ships required to maintain a continuous watch and at least 50 nautical miles for all other ships.*

11. The receiving installation must permit of the reception of such of the waves used for the transmission of time signals and meteorological messages as may be considered necessary by the Administration.

12. The receiver must be so arranged as to be capable of maintaining reception by means of a rectifier of the crystal type.

* Unless a more precise and practical method is available to determine the range of transmitters it is recommended that, as a guide, the following relations between the range in nautical miles (from ship to ship under normal conditions in daytime) and the power of the ship transmitter in metre amperes for 500 kilocycles per second (600 m) be used:—

100 nautical miles	60 M A
80 nautical miles	45 M A
50 nautical miles	25 M A

M being the actual height in metres of the aerial from its highest point to the load line.

A being the current in amperes measured at the base of the aerial in case of B, or fully modulated A 2, transmitters. [Footnote in the original.]

6. Les installations principales et de secours (réserve) doivent pouvoir transmettre et recevoir avec les fréquences (longueurs d'ondes) et sur les types d'ondes prescrits pour le trafic de détresse et la sécurité de la navigation par la Convention Radiotélégraphique Internationale en vigueur pour les navires obligatoirement pourvus d'une installation radiotélégraphique en vertu de la présente Convention.

7. L'émetteur principal et l'émetteur de secours (réserve) doit avoir une fréquence musicale d'au moins 100.

8. L'émetteur principal doit avoir une *portée normale* de 100 milles marins, c'est-à-dire qu'il doit être capable de transmettre des signaux clairement perceptibles de navire à navire, à une distance d'au moins 100 milles, de jour, dans des conditions et circonstances normales, le récepteur étant supposé pourvu d'un détecteur à cristal sans dispositif d'amplification.*

9. La station de bord doit pouvoir disposer, en tout temps, d'une source d'énergie suffisante pour faire fonctionner efficacement le poste radiotélégraphique principal dans des conditions normales, à la distance indiquée ci-dessus.

10. Tous les organes de l'installation de secours (réserve) doivent être placés dans la partie supérieure du navire de manière à se trouver dans les meilleures conditions de sécurité et aussi haut que possible au-dessus de la ligne de charge maximum. L'installation de secours (réserve) doit disposer d'une source d'énergie indépendante de celle qui est utilisée pour la propulsion du navire et pour le réseau principal d'électricité; elle doit pouvoir être rapidement mise en service et être utilisée pendant six heures consécutives au moins.

La portée normale de l'installation de secours (réserve), telle qu'elle est définie au paragraphe 8 ci-dessus, doit être d'au moins 80 milles marins pour les navires tenus d'assurer une écoute permanente et d'au moins 50 milles marins pour tous les autres navires.*

11. L'installation de réception doit permettre de recevoir, sur celles des longueurs d'onde utilisées pour la transmission des signaux horaires et des messages météorologiques, qui seraient jugés nécessaires par l'Administration.

12. Le récepteur doit être disposé de façon à assurer la réception au moyen d'un détecteur à cristal.

*Jusqu'à ce que l'on dispose d'une méthode plus exacte ou plus pratique pour déterminer la portée des transmetteurs, il est recommandé de prendre comme guide les relations suivantes entre la portée en milles marins (de navire à navire dans des conditions normales et de jour) et la puissance du transmetteur du navire en mètres-ampères pour 500 kilocycles à la seconde (600 mètres).

100 milles marins	60 M.A.
80 milles marins	45 M.A.
50 milles marins	25 M.A.

M étant la hauteur réelle en mètres de l'antenne à son point le plus élevé, au-dessus de la ligne de charge,

A étant le courant en ampères mesuré à la base de l'antenne dans le cas de transmetteurs B ou A2 modulés. [Footnote in the original]

13. In ships in which watch is kept by means of an automatic alarm receiver a means of giving audible warning shall be provided in the wireless telegraph room, in the wireless operator's cabin, and on the bridge, which shall operate continuously after the receiver has been operated by the alarm signal or distress call until stopped. Only one switch for stopping the warning shall be provided and this shall be situated in the wireless telegraph room.

14. In such ships the wireless operator, when going off watch, shall connect the automatic alarm receiver to the aerial and test its efficiency. He shall report to the master or the officer on watch on the bridge whether it is in working order.

15. Whilst the ship is at sea the emergency source of power shall be maintained at its full efficiency and the automatic alarm receiver shall be tested at least once every 24 hours. A statement that both these requirements have been fulfilled must be inserted in the ship's official log daily.

16. A wireless log shall be carried by every ship compulsorily equipped with wireless transmitting apparatus. This document shall be kept in the wireless telegraph room, and in it shall be inserted the names of the operators and watchers as well as all incidents and occurrences connected with the wireless service which may appear to be of importance to safety of life at sea, and in particular all distress messages and distress traffic in full.

Post, p. 1170.

17. The direction-finding apparatus required by Article 47 shall be efficient and capable of receiving clearly perceptible signals and of taking bearings from which the true bearing and direction may be determined. It shall be capable of receiving signals on the frequencies prescribed for distress, direction finding and wireless telegraph beacons by the International Radiotelegraph Convention in force.

Efficient communication shall be provided between the apparatus and the bridge.

ARTICLE 32.

Competence.

The matters governed by the International Radiotelegraph Convention, Washington, 1927, and the Regulations annexed thereto remain, and will continue, subject to the provisions:—

(1.) Of that Convention and of the Regulations annexed thereto, and of any Convention and Regulations which may in the future be substituted therefor;

(2.) Of the present Convention in regard to all the points in which it supplements the aforementioned documents.

Competence.
46 Stat. 2760.

13. A bord des navires où l'écoute est assurée au moyen d'un récepteur automatique d'alarme, on doit installer des avertisseurs sonores dans la cabine de radiotélégraphie, dans la cabine de l'opérateur radiotélégraphiste et sur la passerelle de navigation. Ces avertisseurs doivent fonctionner continuellement après que le récepteur a été actionné par le signal d'alarme ou de détresse, et jusqu'à ce qu'il soit arrêté. Pour arrêter les avertisseurs, il ne doit exister qu'un seul interrupteur, placé dans la cabine de radiotélégraphie.

14. A bord des navires visés au paragraphe précédent, l'opérateur, en quittant l'écoute, doit reconnecter le récepteur automatique d'alarme à l'antenne et éprouver son efficacité. Il doit rendre compte de son bon état de fonctionnement au capitaine ou à l'officier de quart sur la passerelle de navigation.

15. Lorsque le navire est à la mer, la source d'énergie de secours doit être maintenue dans un parfait état d'efficacité et le récepteur automatique d'alarme doit être vérifié au moins une fois par 24 heures. Mention que ces deux obligations ont été remplies sera portée, chaque jour, au Journal du bord.

16. A bord de tout navire obligatoirement pourvu d'une installation émettrice radioélectrique, il doit être tenu un journal radioélectrique. Sur ce document, qui doit se trouver dans la cabine de radiotélégraphie, seront inscrits les noms des opérateurs et des écouteurs, ainsi que tous les incidents et événements concernant le service radioélectrique et pouvant offrir un intérêt quelconque pour la sauvegarde de la vie humaine en mer; en particulier, tous les messages et tout le trafic de détresse doivent y être reproduits dans leur intégralité.

17. L'appareil radiogoniomètre, rendu obligatoire en vertu de l'Article 47, doit être d'un fonctionnement efficace, susceptible de recevoir des signaux clairement perceptibles et de prendre des relèvements dont il sera possible de déterminer le sens et de déduire le gisement vrai. Il doit pouvoir recevoir des signaux sur les fréquences prescrites, pour les cas de détresse, pour les radiogoniomètres et pour les radiophares, par la Convention Radiotélégraphique Internationale en vigueur.

Un moyen de communication efficace doit exister entre l'appareil et la passerelle de navigation.

ARTICLE 32.

Compétence.

Les questions qui sont réglées par la Convention Radiotélégraphique Internationale de Washington de 1927 et par les Règlements y annexés, restent et continueront à être soumises aux dispositions:

(1) de cette Convention et des Règlements y annexés et des autres Conventions et Règlements qui pourraient y être substitués dans l'avenir;

(2) de la présente Convention en ce qui concerne tous les points où elle complète les documents susvisés.

CHAPTER V.—SAFETY OF NAVIGATION.

ARTICLE 33.

Application.

Application.

The provisions of this Chapter referring to ships, unless otherwise expressly provided, apply to all ships on all voyages.

ARTICLE 34.

Danger Messages.

Danger messages

The master of every ship which meets with dangerous ice, a dangerous derelict, a dangerous tropical storm or any other direct danger to navigation is bound to communicate the information, by all the means of communication at his disposal, to the ships in the vicinity, and also to the competent authorities at the first point of the coast with which he can communicate. It is desirable that the said information be sent in the manner set out in Regulation XLVI.

Post, p. 1264.

Each Administration will take all steps which it thinks necessary to ensure that when intelligence of any of the dangers specified in the previous paragraph is received, it will be promptly brought to the knowledge of those concerned and communicated to other Administrations interested.

The transmission of messages respecting the dangers specified is free of cost to the ships concerned.

ARTICLE 35.

*Meteorological Services.*Meteorological serv-
ices

The Contracting Governments undertake to encourage the collection of meteorological data by ships at sea, and to arrange for their examination, dissemination and exchange in the manner most suitable for the purpose of aiding navigation.

In particular, the Contracting Governments undertake to co-operate in carrying out, as far as practicable, the following meteorological arrangements:—

(a) to warn ships of gales, storms and tropical storms, both by the issue of wireless messages and by the display of appropriate signals at coastal points;

(b) to issue daily, by radio, weather bulletins suitable for shipping, containing data of existing weather conditions and forecasts;

(c) to arrange for certain selected ships to take meteorological observations at specified hours, and to transmit such observations by wireless telegraphy for the benefit of other ships and of the various official meteorological services; and to provide coast stations for the reception of the messages transmitted;

(d) to encourage all ship-masters to inform surrounding ships whenever they experience wind force of 10 or above on the Beaufort scale (force 8 or above on the decimal scale).

CHAPITRE V.—SÉCURITÉ DE LA NAVIGATION.

ARTICLE 33.

Application.

Les prescriptions du présent Chapitre, visant des navires, s'appliquent, à moins qu'il n'en soit expressément spécifié autrement, à tous les navires pour tous les voyages.

ARTICLE 34.

Avis de dangers.

Le capitaine de tout navire, se trouvant en présence de glaces ou d'une épave dangereuses ou d'une tempête tropicale dangereuse, ou de tout autre danger immédiat pour la navigation, est tenu d'en informer par tous les moyens de communication dont il dispose les navires dans le voisinage ainsi que les autorités compétentes au premier point de la côte avec lequel il peut communiquer. Il est souhaitable que cette information soit transmise de la manière exposée à la Règle XLVI.

Chaque Administration prendra toutes les mesures qu'elle jugera nécessaires pour s'assurer que l'information des dangers définis au paragraphe précédent soit rapidement portée à la connaissance de ceux que cela concerne et transmise aux autres Administrations intéressées.

La transmission de messages concernant les dangers en question est gratuite pour les navires intéressés.

ARTICLE 35.

Services météorologiques.

Les Gouvernements contractants s'engagent à encourager la centralisation de renseignements d'ordre météorologique par les navires en mer, de les faire examiner, propager et de se les communiquer de la manière la plus efficace dans le but de venir en aide à la navigation.

En particulier, les Gouvernements contractants s'engagent à collaborer à l'application, dans la plus grande mesure possible, des dispositions météorologiques suivantes:

(a) avertir les navires des coups de vents, tempêtes et tempêtes tropicales, tant par la transmission de messages radioélectriques que par l'usage de signaux appropriés sur des points de la côte;

(b) transmettre journallement par sans fil des bulletins sur l'état du temps pouvant intéresser la navigation, et donnant des renseignements sur les conditions actuelles du temps ainsi que des prévisions;

(c) établir des mesures pour que certains navires spécialement désignés prennent des observations météorologiques à des heures déterminées et transmettent ces observations par télégraphie sans fil dans l'intérêt des autres navires et des divers services météorologiques officiels, et pourvoir certaines stations côtières pour la réception de ces messages;

(d) encourager tous les capitaines de navires à prévenir les navires dans le voisinage lorsqu'ils rencontrent une force de vent de 10 ou au-dessus—échelle Beaufort (force 8 ou au-dessus, échelle décimale).

45 Stat 2878, 2872

The information provided for in paragraphs (a) and (b) of this article will be furnished in form for transmission in accordance with Article 31, §§ 1, 3 and 5, and Article 19, § 25, of the General Regulations annexed to the International Radiotelegraph Convention, Washington, 1927, and during transmission "to all stations" of meteorological information, forecasts and warnings, all ship stations must conform to the provisions of Article 31, § 2, of those General Regulations.

Weather observations from ships addressed to national meteorological services will be transmitted with the priority specified in Article 3, Additional Regulations, International Radiotelegraph Convention, Washington, 1927.

Forecasts, warnings, synoptic and other meteorological reports intended for ships shall be issued and disseminated by the national service in the best position to serve various zones and areas, in accordance with mutual arrangements made by the countries concerned.

Uniformity of procedure.

Every endeavour will be made to obtain a uniform procedure in regard to the international meteorological services specified in this Article, and, as far as is practicable, to conform to the recommendations made by the International Meteorological Organization, to which organization the Contracting Governments may refer for study and advice any meteorological questions which may arise in carrying out the present Convention.

ARTICLE 36.

Ice Patrol. Derelicts.

Ice patrol.

Derelicts in North Atlantic Ocean.

The Contracting Governments undertake to continue a service of ice patrol and a service for study and observation of ice conditions in the North Atlantic. Further, they undertake to take all practicable steps to ensure the destruction or removal of derelicts in the northern part of the Atlantic Ocean east of the line drawn from Cape Sable to a point in latitude 34° N. longitude 70° W. if this destruction or removal is considered necessary at the time.

The Contracting Governments undertake to provide not more than three vessels for these three services. During the whole of the ice season they shall be employed in guarding the south-eastern, southern and south-western limits of the regions of icebergs in the vicinity of the Great Bank of Newfoundland for the purpose of informing trans-Atlantic and other passing vessels of the extent of this dangerous region; for the observation and study of ice conditions in general; for the destruction or removal of derelicts; and for the purpose of affording assistance to vessels and crews requiring aid within the limits of operation of the patrol vessels.

During the rest of the year the study and observation of ice conditions shall be maintained as advisable, and one vessel shall always be available for the search for, and destruction or removal of derelicts.

Les informations prévues aux paragraphes (a) et (b) du présent Article seront transmises dans la forme indiquée aux Articles 31 (paragraphes 1, 3 et 5) et l'Article 19 (paragraphe 25) du Règlement général annexé à la Convention Radiotélégraphique Internationale de Washington, 1927, et pendant la durée des transmissions de renseignements météorologiques, avertissements et prévisions "à tous," toutes les stations de bord doivent se conformer aux dispositions de l'Article 31 (paragraphe 2) de ce Règlement.

Les observations sur le temps adressées par les navires aux services météorologiques nationaux bénéficieront de la priorité de transmission spécifiée à l'Article 3, Règlements additionnels, Convention Radiotélégraphique Internationale de Washington, 1927.

Les prévisions, avertissements, rapports synoptiques et autres rapports météorologiques à l'usage des navires doivent être transmis et propagés par le service national dans la position la plus favorable pour desservir les différentes zones et régions suivant des accords mutuels entre les pays intéressés.

Tous les efforts tendront à obtenir une procédure internationale uniforme en ce qui concerne les services météorologiques internationaux spécifiés au présent Article et à se conformer, dans la mesure du possible aux recommandations de l'Institution météorologique internationale, à qui les Gouvernements contractants pourront se référer pour étude et avis sur tous les sujets d'ordre météorologique pouvant se présenter dans l'application de la présente Convention.

ARTICLE 36.

Recherche des glaces. Epaves.

Les Gouvernements contractants s'engagent à maintenir un service de recherche des glaces et un service d'étude et d'observation du régime des glaces dans l'Atlantique Nord. De plus, ils s'engagent à prendre toutes les mesures possibles pour assurer la destruction ou l'enlèvement des épaves dans la partie nord de l'Océan Atlantique, à l'est d'une ligne tracée du Cap Sable jusqu'à un point situé par 34 degrés de latitude Nord et 70 degrés de longitude Ouest si l'utilité de ces destructions ou de ces enlèvements est reconnue.

Les Gouvernements contractants s'engagent à fournir trois navires au plus pour le fonctionnement de ces trois services. Pendant toute la saison des glaces, ces navires doivent être affectés à la surveillance des limites sud-est, sud et sud-ouest des régions des icebergs dans le voisinage du grand banc de Terre-Neuve, pour informer de l'étendue de la région dangereuse les navires transatlantiques et autres qui passent; pour étudier et observer le régime des glaces; pour détruire et enlever les épaves; et pour prêter assistance aux navires et équipages qui ont besoin d'aide dans la zone d'action des navires patrouilleurs.

Pendant le reste de l'année, l'étude et l'observation du régime des glaces doivent être poursuivies, suivant les nécessités, et un navire doit toujours être disponible pour la recherche, la destruction ou l'enlèvement des épaves.

ARTICLE 37.

Ice Patrol. Management and Cost.

Ice patrol.

Management by
United States

The Government of the United States is invited to continue the management of these services of ice patrol, study and observation of ice conditions, and derelict destruction and removal. The Contracting Governments specially interested in these services, whose names are given below, undertake to contribute to the expense of maintaining and operating these services in the following proportions:—

Cost contributions

	Per cent.
Belgium	2
Canada	3
Denmark	2
France	6
Germany	10
Great Britain and Northern Ireland	40
Italy	6
Japan	1
Netherlands	5
Norway	3
Spain	1
Sweden	2
Union of Socialist Soviet Republics	1
United States of America	18

Right to discon-
tinue

Each of the Contracting Governments has the right to discontinue its contribution to the expense of maintaining and operating these services after the 1st September, 1932. Nevertheless, the Contracting Government which avails itself of this right will continue responsible for the expense of working up to the 1st September following the date of giving notice of intention to discontinue its contribution. To take advantage of the said right it must give notice to the other Contracting Governments at least six months before the said 1st September; so that, to be free from this obligation on the 1st September, 1932, it must give notice on the 1st March, 1932, at the latest, and similarly for each subsequent year.

If, at any time, the United States Government should not desire to continue these services, or if one of the Contracting Governments should express a wish to relinquish responsibility for the pecuniary contribution defined above, or to have its percentage of obligation altered, the Contracting Governments shall settle the question in accordance with their mutual interests.

Alteration of pro-
visions

The Contracting Governments which contribute to the cost of the three above-mentioned services shall have the right by common consent to make from time to time such alterations in the provisions of this Article and of Article 36 as appear desirable.

ARTICLE 38.

Speed near Ice.

Speed near ice

When ice is reported on, or near, his course, the master of every ship at night is bound to proceed at a moderate speed or to alter his course so as to go well clear of the danger zone.

ARTICLE 37.

Recherche des glaces. Gestion et Dépenses.

Le Gouvernement des États-Unis est invité à continuer la gestion de ces trois services; recherche des glaces; étude et observation du régime des glaces; destruction et enlèvement des épaves. Les Gouvernements contractants qui sont spécialement intéressés à ces services et dont les noms suivent s'engagent à contribuer aux dépenses d'entretien et de fonctionnement de ces services dans les proportions suivantes:

	Pour Cent.
Allemagne.	10
Belgique.	2
Canada	3
Danemark.	2
Espagne.	1
États-Unis d'Amérique	18
France	6
Grande-Bretagne et Irlande du Nord	40
Italie	6
Japon.	1
Norvège.	3
Pays-Bas.	5
Suède.	2
Union des Républiques Soviétistes Socialistes.	1

Chacun des Gouvernements contractants a la faculté de cesser de contribuer aux dépenses d'entretien et de fonctionnement de ces services après le 1^{er} septembre 1932. Toutefois, le Gouvernement contractant qui usera de cette faculté restera tenu des dépenses ci-dessus jusqu'au 1^{er} septembre qui suivra la date de notification de son intention de cesser sa contribution. Pour user de ladite faculté, il devra notifier son intention aux autres Gouvernements contractants six mois au moins avant ledit 1^{er} septembre, de sorte que, pour être dégagé de ces obligations au 1^{er} septembre 1932, il devra notifier son intention au plus tard le 1^{er} mars 1932, et de même chaque année qui suivra.

Au cas où, à un moment quelconque, le Gouvernement des États-Unis ne désirerait plus gérer ces services ou que l'un des Gouvernements contractants exprimerait le désir de ne plus assumer la charge de la contribution pécuniaire ci-dessus définie ou de voir modifier son pourcentage, les Gouvernements contractants régleront la question au mieux de leurs intérêts réciproques.

Les Gouvernements contractants qui contribuent aux frais des trois services susmentionnés ont le droit d'apporter au présent Article et à l'Article 36 d'un commun accord et en tout temps, les changements qui seraient jugés désirables.

ARTICLE 38.

Vitesse dans le voisinage des Glaces.

Lorsque des glaces sont signalées sur la route ou près de la route à suivre, le capitaine de tout navire est tenu de modérer pendant la nuit la vitesse de son navire ou de changer de route, de manière à bien s'écarter de la zone dangereuse.

ARTICLE 39.

North Atlantic Routes.

North Atlantic
routes.

The practice of following recognised routes across the North Atlantic in both directions has contributed to safety of life at sea, but the working of these routes should be further investigated and studied with a view to the introduction of such variations as experience may show to be necessary.

The selection of the routes and the initiation of action with regard to them is left to the responsibility of the steamship companies concerned. The Contracting Governments will assist the companies, when requested to do so, by placing at their disposal any information bearing on the routes which may be in the possession of the Governments.

The Contracting Governments undertake to impose on the companies the obligation to give public notice of the regular routes which they propose their vessels should follow, and of any changes made in these routes; they will also use their influence to induce the owners of all vessels crossing the Atlantic to follow, so far as circumstances will permit, the recognised routes, and to induce the owners of all vessels crossing the Atlantic bound to or from ports of the United States via the vicinity of the Great Bank of Newfoundland to avoid, as far as practicable, the fishing banks of Newfoundland north of latitude 43° N. during the fishing season, and to pass outside regions known or believed to be endangered by ice.

The Administration managing the ice patrol service is requested to report to the Administration concerned any ship which is observed not to be on any regular, recognised or advertised route, or which crosses the above-mentioned fishing banks during the fishing season, or which, when proceeding to or from ports of the United States, passes through regions known or believed to be endangered by ice.

ARTICLE 40.

Collision Regulations.

Collision regula-
tions.

The Contracting Governments agree that the alterations in the International Regulations for Preventing Collisions at Sea shown in Annex II are desirable and ought to be made. The Government of the United Kingdom of Great Britain and Northern Ireland is requested to forward full particulars of the alterations to the other Governments who have accepted the International Regulations for Preventing Collisions at Sea, and ascertain whether they will adopt these alterations; to report the result to the Governments represented at this Conference, and to endeavour to arrange that the revised regulations shall come in force on the 1st July, 1931.

ARTICLE 39.

Routes de l'Atlantique Nord.

La pratique consistant à suivre des routes définies pour la traversée de l'Atlantique du Nord, dans l'un et l'autre sens, a contribué à la sauvegarde de la vie humaine en mer; mais les résultats de l'utilisation de ces routes devraient faire l'objet d'enquêtes et d'études plus approfondies permettant d'apporter à la pratique actuelle les modifications dont l'expérience montrerait la nécessité.

Le choix des routes et l'initiative des mesures à prendre à leur égard sont laissés à la charge des compagnies de navigation intéressées. Les Gouvernements contractants prêteront leurs concours à ces compagnies, lorsqu'ils en seront sollicités, en mettant à leur disposition tous les renseignements sur les routes qui peuvent être en la possession des Gouvernements.

Les Gouvernements contractants s'engagent à imposer aux compagnies l'obligation de publier les routes régulières qu'elles se proposent de faire suivre à leurs navires ainsi que tous changements qui peuvent leur être apportés. Ils useront également de leur influence pour inciter les armateurs de tous les navires traversant l'Atlantique à suivre, autant que les circonstances le permettent, les routes définies et pour inciter les armateurs de tous les navires traversant l'Atlantique à destination ou en provenance des ports des États-Unis, en passant au voisinage du grand banc de Terre-Neuve, à éviter, autant qu'il est possible, pendant la saison de pêche, les lieux de pêche de Terre-Neuve au nord du 43^{me} degré de latitude Nord et à faire route en dehors des régions où des glaces dangereuses existent ou sont supposées exister.

L'Administration qui dirige le service de surveillance des glaces est invitée à signaler à l'Administration intéressée tout navire dont on constate la présence en dehors d'une route régulière reconnue ou annoncée, ou qui traverse les bancs de pêche susmentionnés pendant la saison de pêche, ou qui, faisant route à destination ou en provenance d'un port des États-Unis, traverse des régions où des glaces dangereuses existent ou sont supposées exister.

ARTICLE 40.

Règles d'abordage.

Les Gouvernements contractants conviennent que les modifications à apporter au règlement international pour prévenir les abordages en mer, telles qu'elles figurent à l'Annexe II sont désirables et devraient y être apportées. Le Gouvernement du Royaume Uni de la Grande-Bretagne et de l'Irlande du Nord est prié de transmettre les détails complets de ces modifications aux autres Gouvernements qui ont accepté le Règlement international pour prévenir les Abordages en Mer, de s'assurer qu'ils les adoptent, d'informer les Gouvernements représentés à la Conférence de la suite donnée et, enfin, de s'efforcer de faire mettre en vigueur le règlement modifié à la date du 1^{er} juillet 1931.

ARTICLE 41.

Helm Orders.

Helm orders.

The Contracting Governments agree that after midnight on the 30th June, 1931, helm or steering orders, *i. e.*, orders to the steersman, shall on all their ships be given in the direct sense, *e. g.*, when the ship is going ahead an order containing the word "starboard" or "right" or any equivalent of "starboard" or "right" shall only be used when it is intended, on ships as at present generally constructed and arranged, that the wheel, the rudder-blade and the head of the ship, shall all move to the right.

ARTICLE 42.

Misuse of Distress Signals.

Misuse of distress signals

The use of an international distress signal, except for the purpose of indicating that a vessel is in distress, and the use of any signal which may be confused with an international distress signal, are prohibited on every ship.

ARTICLE 43.

Alarm, Distress and Urgency Signals.

Alarm, distress, and urgency signals

The alarm signal and the distress signal may only be used by ships in serious and imminent danger which require immediate assistance. In all other cases in which assistance is required, or in which a vessel desires to issue a warning that it may become necessary to send out the alarm signal or the distress signal at a later stage, use must be made of the urgency signal (XXX) established by the International Radiotelegraph Convention, Washington, 1927.

45 Stat. 2871

If a ship has sent out the alarm or distress signal and subsequently finds that assistance is no longer required such ship shall immediately notify all stations concerned as provided for by the Radiotelegraph Convention in force.

ARTICLE 44.

Speed of Distress Messages.

Distress, etc., messages

Speed of transmission.

The speed of transmission of messages in connection with cases of distress, urgency or safety, shall not exceed 16 words per minute.

ARTICLE 45.

Distress Messages. Procedure.

Procedure.

1. The master of a ship on receiving on his ship a wireless distress signal from any other ship, is bound to proceed with all speed to the assistance of the persons in distress, unless he is unable, or in the special

ARTICLE 41.

Commandements à la Barre.

Les Gouvernements contractants conviennent qu'à la date du 30 juin 1931 à partir de minuit les commandements à la barre, c'est-à-dire les commandements donnés à l'homme de barre, doivent être donnés, sur tous leurs navires, sous la forme de commandements directs, c'est-à-dire que, le navire allant de l'avant, le mot "tribord" ou "droite" ou tout mot équivalent à "tribord" ou à "droite" ne doit être donné à bord des navires—tels qu'ils sont généralement construits et aménagés de nos jours—que lorsque l'intention est de manœuvrer à droite, et tout à la fois, la roue, le safran du gouvernail et l'avant du navire.

ARTICLE 42.

Emploi injustifié des signaux de détresse.

L'emploi d'un signal international de détresse, sauf s'il s'agit de signaler qu'un navire est en détresse, ainsi que l'emploi d'un signal pouvant être confondu avec un signal international de détresse sont interdits sur tous les navires.

ARTICLE 43.

Signaux d'alarme, de détresse et d'urgence.

Les signaux d'alarme et de détresse peuvent seulement être employés par les navires en danger sérieux et imminent qui ont besoin d'une assistance immédiate. Dans tous les autres cas où on a besoin d'assistance ou dans lesquels un navire désire émettre un avertissement indiquant qu'il pourra être nécessaire de faire ultérieurement le signal d'alarme ou de détresse, il doit être fait usage du signal urgent (XXX) prévu par la Convention Radiotélégraphique Internationale de Washington, 1927.

Si un navire a émis le signal d'alarme ou de détresse et s'il estime ultérieurement que l'assistance n'est plus nécessaire, ce navire doit immédiatement le faire savoir à toutes les stations intéressées conformément à la Convention Radiotélégraphique en vigueur.

ARTICLE 44.

Vitesse de transmission des messages de détresse.

La vitesse de transmission des messages relatifs aux cas de détresse, d'urgence ou de sécurité, ne doit pas dépasser 16 mots par minute.

ARTICLE 45.

Messages de détresse. Procédure.

1. Le Capitaine d'un navire, qui reçoit d'un autre navire un signal de détresse, est tenu de se porter à toute vitesse au secours des personnes en détresse, sauf en cas d'impossibilité ou si, dans des circonstances

circumstances of the case, considers it unreasonable or unnecessary to do so, or unless he is released under the provisions of paragraphs 3 and 4 of this Article.

2. The master of a ship in distress, after consultation, so far as may be possible, with the masters of the ships which answer his call for assistance, has the right to requisition such one or more of those ships as he considers best able to render assistance, and it shall be the duty of the master or masters of the ship or ships requisitioned to comply with the requisition by continuing to proceed with all speed to the assistance of the persons in distress.

3. A master shall be released from the obligation imposed by paragraph 1 of this Article as soon as he is informed by the master of the ship requisitioned, or, where more ships than one are requisitioned, all the masters of the ships requisitioned, that he or they are complying with the requisition.

4. A master shall be released from the obligation imposed by paragraph 1 of this Article, and, if his ship has been requisitioned, from the obligation imposed by paragraph 2 of this Article, if he is informed by a ship which has reached the persons in distress, that assistance is no longer necessary.

5. If a master of a ship, on receiving a wireless distress call from another ship, is unable, or in the special circumstances of the case considers it unreasonable or unnecessary to go to the assistance of that other ship, he must immediately inform the master of that other ship accordingly, and enter in his log-book his reasons for failing to proceed to the assistance of the persons in distress.

Certain designated
rules not affected.
37 Stat 1664.

6. The provisions of this Article do not prejudice the International Convention for the unification of certain rules with respect to Assistance and Salvage at Sea, signed at Brussels on the 23rd September, 1910, particularly the obligation to render assistance imposed by Article 11 of that Convention.

ARTICLE 46.

Signalling Lamp.

Signalling lamp.

All ships of over 150 tons gross tonnage, when engaged on international voyages, shall have on board an efficient signalling lamp.

ARTICLE 47.

Direction-Finding Apparatus.

Direction-finding
apparatus
Ante, p 1156.

Every passenger ship of 5,000 tons gross tonnage and upwards shall, within two years from the date on which the present Convention comes in force, be provided with an approved direction-finding apparatus (radio compass), complying with the provisions of Article 31 (17) of the present Convention.

spéciales où il se trouve, il n'estime ni raisonnable, ni utile de le faire, ou s'il est dégagé de cette obligation conformément aux dispositions des paragraphes 3 et 4 du présent article.

2. Le capitaine d'un navire en détresse, après avoir consulté, autant que cela peut être possible, les capitaines des navires qui ont répondu à son appel de secours, a le droit de réquisitionner tel ou tels de ces navires qu'il considère les plus capables de porter secours, et le capitaine ou les capitaines réquisitionnés ont l'obligation de se soumettre à la réquisition en continuant à se rendre à toute vitesse au secours des personnes en détresse.

3. Un capitaine est libéré de l'obligation imposée par le paragraphe 1 du présent article aussitôt dès qu'il sera informé par le capitaine du navire réquisitionné, ou, si plusieurs navires sont réquisitionnés, par les capitaines des navires réquisitionnés, que le capitaine ou les capitaines réquisitionnés se soumettent à la réquisition.

4. Un capitaine est libéré de l'obligation imposée par le paragraphe 1 du présent article et, si son navire a été réquisitionné, de l'obligation imposée par le paragraphe 2 du présent article, s'il est informé par un navire qui est arrivé auprès des personnes en détresse, que le secours n'est plus nécessaire.

5. Si le capitaine d'un navire, au moment où il reçoit un appel de détresse d'un autre navire, est dans l'impossibilité, ou, dans les circonstances spéciales où il se trouve, n'estime ni raisonnable ni utile d'aller au secours de l'autre navire, il doit, immédiatement informer de ce fait le capitaine de l'autre navire et indiquer sur son journal de bord les raisons pour lesquelles il s'est abstenu de se rendre au secours des personnes en détresse.

6. Il n'est pas dérogé par les prescriptions du présent article aux dispositions de la Convention Internationale, pour l'unification de certaines règles en matière d'Assistance et de Sauvetage en mer, signée à Bruxelles le 23 septembre 1910, particulièrement en ce qui concerne l'obligation de porter secours imposée par l'article 11 de ladite Convention.

ARTICLE 46.

Fanal à Signaux.

Tous les navires d'une jauge brute de plus de 150 tonneaux effectuant des voyages internationaux doivent avoir à bord un fanal à signaux efficace.

ARTICLE 47.

Radiogoniomètre.

Tout navire à passagers de 5,000 tonneaux de jauge brute et au-dessus doit, dans les deux ans qui suivront la date de mise en vigueur de la présente Convention, être muni d'un radiogoniomètre (radio-compas) d'un type approuvé conformément aux dispositions de l'Article 31 de la présente Convention.

ARTICLE 48.

Manning.

Manning.

The Contracting Governments undertake, each for its national ships, to maintain, or, if it is necessary, to adopt, measures for the purpose of ensuring that, from the point of view of safety of life at sea, all ships shall be sufficiently and efficiently manned.

Chapter VI.—Certificates

CHAPTER VI.—CERTIFICATES.

ARTICLE 49.

Issue of

Issue of Certificates.

Safety Certificate

A certificate called a *Safety Certificate* shall be issued, after inspection and survey, to every passenger ship which complies in an efficient manner with the requirements of Chapters II, III and IV of the Convention.

Ante, pp 1132, 1138, 1146

Safety Radiotelegraphy Certificate

A certificate called a *Safety Radiotelegraphy Certificate* shall be issued after inspection to every ship other than a passenger ship which complies in an efficient manner with the requirements of Chapter IV of the present Convention.

Exemption Certificate

A certificate called an *Exemption Certificate* shall be issued to every ship to which exemption is granted by a Contracting Government under, and in accordance with, the provisions of Chapters II, III and IV of the present Convention.

Inspection and survey of ships

The inspection and survey of ships, so far as regards the enforcement of the provisions of the present Convention and the annexed Regulations applicable to such ships and the granting of exemptions therefrom, shall be carried out by officers of the country in which the ship is registered, provided that the Government of each country may entrust the inspection and survey of its ships either to Surveyors nominated for this purpose or to organisations recognised by it. In every case the Government concerned fully guarantees the completeness and efficiency of the inspection and survey.

A Safety Certificate, Safety Radiotelegraphy Certificate, and Exemption Certificate shall be issued either by the Government of the country in which the ship is registered or by any person or organisation duly authorised by that Government. In every case that Government assumes full responsibility for the certificate.

ARTICLE 50.

Issue of Certificate by Another Government.

Issue by another Government

A Contracting Government may, at the request of the Government of a country in which a ship coming under the present Convention is registered, cause that ship to be surveyed, and, if satisfied that the requirements of the present Convention are complied with, issue a Safety Certificate or Safety Radiotelegraphy Certificate to such

ARTICLE 48.

Equipage.

Les Gouvernements contractants s'engagent, en ce qui concerne leurs navires nationaux, à conserver, ou, si c'est nécessaire, à adopter, toutes mesures ayant pour objet de s'assurer qu'au point de vue de la sécurité en mer, tous les navires aient à bord un équipage suffisant en nombre et qualité.

CHAPITRE VI.—CERTIFICATS.

ARTICLE 49.

Délivrance des Certificats.

Un certificat dit *Certificat de Sécurité*, doit être délivré, après inspection et visite à tout navire à passagers qui aura satisfait d'une manière effective aux prescriptions des chapitres II, III et IV de la présente Convention.

Un certificat dit *Certificat de Sécurité radiotélégraphique* doit être délivré après inspection à tout navire autre qu'un navire à passagers qui satisfait d'une manière effective aux prescriptions du Chapitre IV de la présente Convention.

Un certificat dit *Certificat de Dispense*, doit être délivré à tout navire auquel une dispense est accordée par un Gouvernement Contractant pour l'application et en conformité des prescriptions des Chapitres II, III et IV de la présente Convention.

L'inspection et la visite des navires, en ce qui concerne la mise en vigueur de celles des prescriptions de la présente Convention et des Règles annexées auxquelles ils sont soumis et l'octroi des dispenses qui peuvent leur être accordées, sont effectuées par des agents du pays où le navire est immatriculé. Toutefois le Gouvernement de chaque pays peut confier l'inspection et la visite des navires de ce pays soit à des experts désignés à cet effet, soit à des organismes reconnus par lui. Dans tous les cas, le Gouvernement intéressé garantit complètement l'intégrité et l'efficacité de l'inspection et de la visite.

Le certificat de sécurité, le certificat de sécurité radiotélégraphique, et le certificat de dispense sont délivrés par le Gouvernement du pays où le navire est immatriculé ou par toute autre personne ou organisme dûment autorisé par ce Gouvernement. Dans tous les cas, ce dernier assume la pleine responsabilité du certificat.

ARTICLE 50.

Délivrance d'un Certificat par un autre Gouvernement.

Tout Gouvernement contractant peut, à la requête du Gouvernement d'un pays dans lequel est immatriculé un navire qui tombe sous le coup de la présente Convention, faire inspecter ce navire et, s'il a constaté que les exigences de la présente Convention sont satisfaites, lui délivrer, sous sa propre responsabilité, un certificat de sécurité ou

ship, under its own responsibility. Any certificate so issued must contain a statement to the effect that it has been issued at the request of the Government of the country in which the ship is registered, and it shall have the same force and receive the same recognition as a certificate issued under Article 49 of the present Convention.

ARTICLE 51.

Form of Certificates.

Form.

All certificates shall be drawn up in the official language or languages of the country by which they are issued.

Post, p 1268

The form of the certificates shall be that of the models given in Regulation XLVII. The arrangement of the printed part of the standard certificates shall be exactly reproduced in the certificates issued, or in certified copies thereof, and the particulars inserted by hand shall in the certificates issued, or in certified copies thereof, be inserted in Roman characters and Arabic figures.

The Contracting Governments undertake to communicate one to another a sufficient number of specimens of their certificates for the information of their officers. This exchange shall be made, so far as possible, before the 1st January, 1932.

ARTICLE 52.

Duration of Certificates.

Duration.

Certificates shall not be issued for a period of more than twelve months.

If a ship at the time when its certificate expires is not in a port of the country in which it is registered the certificate may be extended by a duly authorised officer of the country to which the ship belongs; but such extension shall be granted only for the purpose of allowing the ship to complete its return voyage to its own country, and then only in cases in which it appears proper and reasonable so to do.

No certificate shall be extended for a longer period than five months, and a ship to which such extension is granted shall not, on returning to its own country, be entitled by virtue of such extension to leave that country again without having obtained a new certificate.

ARTICLE 53.

Acceptance of Certificates.

Acceptance.

Certificates issued under the authority of a Contracting Government shall be accepted by the other Contracting Governments for all purposes covered by the present Convention. They shall be regarded by the other Contracting Governments as having the same force as the certificates issued by them to their own ships.

un certificat de sécurité radiotélégraphique. Tout certificat délivré dans ces conditions doit porter une déclaration établissant qu'il a été délivré à la requête du Gouvernement du pays où le navire est immatriculé. Ce certificat a la même valeur que le certificat délivré conformément à l'Article 49 de la présente Convention et doit être accepté de la même façon.

ARTICLE 51.

Type des Certificats.

Tous les certificats doivent être rédigés dans la langue ou les langues officielles du pays dans lequel ils sont délivrés.

Le type des certificats doit être conforme aux modèles donnés par la Règle XLVII. Les dispositions typographiques de ces modèles réglementaires doivent être exactement reproduites et les indications portées à la main sur les certificats délivrés ou sur les copies certifiées conformes doivent être écrites en caractères romains et en chiffres arabes.

Les Gouvernements contractants s'engagent à se communiquer mutuellement un nombre suffisant d'exemplaires de leurs certificats pour renseigner leurs fonctionnaires. Cet échange devra se faire, autant que possible, avant le 1^{er} janvier 1932.

ARTICLE 52.

Durée de la validité des Certificats.

Les certificats ne doivent pas être délivrés pour une durée de plus de douze mois.

Si, à la date d'expiration de son certificat, un navire ne se trouve pas dans un port du pays où il est immatriculé, la validité du certificat peut être prorogée par un fonctionnaire dûment autorisé du pays dont relève le navire. Une telle prorogation ne doit toutefois être accordée que pour permettre au navire d'achever son voyage de retour à destination de son propre pays et seulement dans le cas où cette mesure apparaîtra comme opportune et raisonnable.

Aucun certificat ne doit être prorogé pour une période de plus de cinq mois et le navire auquel cette prorogation aura été accordée ne sera pas en droit, en vertu de cette prorogation, à son retour dans son pays, de quitter à nouveau ce pays sans avoir renouvelé son certificat.

ARTICLE 53.

Acceptation des Certificats.

Les certificats délivrés au nom d'un Gouvernement contractant doivent être acceptés par les autres Gouvernements contractants pour tout ce qui fait l'objet de la présente Convention. Ils doivent être considérés par les autres Gouvernements contractants comme ayant la même valeur que les certificats délivrés par ceux-ci à leurs propres navires.

ARTICLE 54.

Control.

Control

Every ship holding a certificate issued under Article 49 or Article 50 is subject, in the ports of the other Contracting Governments, to control by officers duly authorised by such Governments in so far as this control is directed towards verifying that there is on board a valid certificate, and if necessary, that the conditions of the vessel's seaworthiness correspond substantially with the particulars of that certificate; that is to say, so that the ship can proceed to sea without danger to the passengers and the crew.

In the event of this control giving rise to intervention of any kind, the officer carrying out the control shall forthwith inform the Consul of the country in which the ship is registered of all the circumstances in which intervention is deemed to be necessary.

ARTICLE 55.

Privileges.

Privileges.

The privileges of the present Convention may not be claimed in favour of any ship unless it holds a proper valid certificate.

ARTICLE 56.

Qualification of Certificate.

Qualification of certificate

If in the course of a particular voyage the ship has on board a number of crew and passengers less than the maximum number which the ship is licensed to carry, and is in consequence, in accordance with the provisions of the present Convention, free to carry a smaller number of life-boats and other life-saving appliances than that stated in the certificate, a memorandum may be issued by the officers or other authorised persons referred to in Articles 49 and 52 above.

Ante, pp 1172, 1174.

This memorandum shall state that in the circumstances there is no infringement of the provisions of the present Convention. It shall be annexed to the certificate and shall be substituted for it in so far as the life-saving appliances are concerned. It shall be valid only for the particular voyage in regard to which it is issued.

Chapter VII.—General Provisions.

CHAPTER VII.—GENERAL PROVISIONS.

ARTICLE 57.

Equivalents.

Equivalents.

Where in the present Convention it is provided that a particular fitting, appliance or apparatus, or type thereof, shall be fitted or carried in a ship, or that any particular arrangement shall be adopted,

ARTICLE 54.

Contrôle.

Tout navire possédant un certificat délivré en vertu de l'Article 49 ou de l'Article 50 est sujet, dans les ports des autres États contractants, au contrôle de fonctionnaires dûment autorisés par ces Gouvernements, dans la limite où ce contrôle a pour objet de vérifier qu'il existe à bord un certificat valable et, s'il le faut, de s'assurer que le navire est dans un état de navigabilité correspondant en substance aux indications de ce certificat, c'est-à-dire qu'il se trouve dans un état tel qu'il peut prendre la mer sans danger pour les passagers et l'équipage.

Dans le cas où ce contrôle donne lieu à une intervention quelconque, le fonctionnaire exerçant ce contrôle doit informer immédiatement le Consul du pays où le navire est immatriculé de toutes les circonstances qui ont fait considérer cette intervention comme nécessaire.

ARTICLE 55.

Bénéfice de la Convention.

On ne peut réclamer le bénéfice de la présente Convention au profit d'un navire s'il ne possède un certificat régulier et non périmé.

ARTICLE 56.

Avenant au Certificat.

Si, au cours d'un voyage particulier, le nombre des personnes (équipage et passagers) présentes à bord est inférieur au nombre maximum que le navire est autorisé à transporter et si, par suite, ce navire a la faculté, conformément aux prescriptions de la présente Convention, d'avoir à bord un nombre d'embarcations de sauvetage ou d'autres engins de sauvetage inférieur à celui qui est inscrit sur le certificat, un avenant peut être délivré par les fonctionnaires ou les autres personnes mandatées et mentionnées aux Articles 49 et 52 ci-dessus.

Cet avenant doit mentionner que, dans les circonstances existantes, il n'est dérogé à aucune des dispositions de la présente Convention. Il est annexé au certificat et lui est substitué mais seulement pour tout ce qui concerne les engins de sauvetage. Il n'est valable que pour le voyage particulier en vue duquel il est délivré.

CHAPITRE VII.—DISPOSITIONS GÉNÉRALES.

ARTICLE 57.

Équivalence.

Lorsque dans la présente Convention il est prévu que l'on doit placer ou avoir à bord une installation, un dispositif ou un appareil particulier quelconque ou un certain type d'installation, de dispositif,

any Administration may accept in substitution therefor any other fitting, appliance or apparatus, or type thereof, or any other arrangement, provided that such Administration shall have been satisfied by suitable trials that the fitting, appliance or apparatus, or type thereof, or the arrangement substituted is at least as effective as that specified in the present Convention.

Any Administration which so accepts a new fitting, appliance or apparatus, or type thereof, or new arrangement, shall communicate the fact to the other Administrations, and, upon request, the particulars thereof, together with a report on the trials made.

ARTICLE 58.

Laws, Regulations, Reports.

Laws, regulations,
reports.

The Contracting Governments undertake to communicate to each other—

(1) the text of laws, decrees and regulations which shall have been promulgated on the various matters within the scope of the present Convention;

(2) all available official reports or official summaries of reports in so far as they show the results of the provisions of the present Convention, provided always that such reports or summaries are not of a confidential nature.

The Government of the United Kingdom of Great Britain and Northern Ireland is invited to serve as an intermediary for collecting all this information and for bringing it to the knowledge of the other Contracting Governments.

ARTICLE 59.

Measures taken after Agreement.

Measures taken
after agreement.

Where the present Convention provides that a measure may be taken after agreement between all or some of the Contracting Governments, the Government of the United Kingdom of Great Britain and Northern Ireland is invited to approach the other Contracting Governments with a view to ascertaining whether they accept such proposals as may be made by any Contracting Government for effecting such a measure, and to inform the other Contracting Governments of the results of the enquiries thus made.

ou d'appareil, ou encore lorsqu'il est prévu qu'une disposition particulière doit être adoptée, toute Administration peut accepter, en remplacement, tout autre installation, dispositif ou appareil, ou un certain type d'installation, de dispositif ou d'appareil, ou tout autre arrangement, à la condition que l'Administration en question se soit assurée, par des essais convenables, que l'installation, le dispositif, ou l'appareil, ou le type d'installation, de dispositif ou d'appareil, ou la disposition substituée a une efficacité au moins égale à celle qui est spécifiée dans la présente Convention.

Toute Administration qui accepte dans ces conditions une installation, un dispositif ou un appareil nouveau, ou un type nouveau d'installation, de dispositif ou d'appareil, ou une nouvelle disposition doit en donner connaissance aux autres Administrations et leur en communiquer, sur demande, la description détaillée en même temps qu'un rapport sur les essais effectués.

ARTICLE 58.

Lois, Règlements, Rapports.

Les Gouvernements contractants s'engagent à se communiquer les uns aux autres:

(1) le texte des lois, décrets et règlements qui auront été promulgués sur les différentes matières qui rentrent dans le champ de la présente Convention.

(2) tous les rapports officiels ou résumés officiels de rapports dont ils pourraient disposer, dans la mesure où ces documents montrent les résultats des dispositions de la présente Convention et à la condition, bien entendu, que ces rapports ou résumés de rapports n'aient pas un caractère confidentiel.

Le Gouvernement du Royaume Uni de la Grande Bretagne et de l'Irlande du Nord est invité à servir d'intermédiaire pour rassembler tous ces renseignements et les porter à la connaissance des autres Gouvernements contractants.

ARTICLE 59.

Mesures prises après accords.

Dans le cas où la présente Convention prévoit qu'une mesure peut être prise après un accord entre tous les Gouvernements contractants, ou seulement quelques-uns d'entre eux, le Gouvernement du Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord est invité à se mettre en rapport avec les autres Gouvernements contractants dans le but de savoir s'ils acceptent les propositions qui pourraient être faites par un quelconque des Gouvernements contractants, en vue de la réalisation de semblables mesures et, en outre, d'informer les autres Gouvernements contractants du résultat de la consultation à laquelle il sera ainsi procédé.

ARTICLE 60.

Prior Treaties and Conventions.

Prior treaties and
conventions.

1. The present Convention replaces and abrogates the Convention for the Safety of Life at Sea, which was signed at London on the 20th January, 1914.

2. All other treaties, conventions and arrangements relating to safety of life at sea, or matters appertaining thereto, at present in force between Governments parties to the present Convention, shall continue to have full and complete effect during the terms thereof as regards—

- (a) ships to which the present Convention does not apply;
- (b) ships to which the present Convention applies, in respect of subjects for which it has not expressly provided.

To the extent, however, that such treaties, conventions or arrangements conflict with the provisions of the present Convention, the provisions of the present Convention shall prevail.

3. All subjects which are not expressly provided for in the present Convention remain subject to the legislation of the Contracting Governments.

ARTICLE 61.

Modifications. Future Conferences.

Modifications

1. Modifications of the present Convention which may be deemed useful or necessary improvements may be at any time proposed by any Contracting Government to the Government of the United Kingdom of Great Britain and Northern Ireland, and such proposals shall be communicated by the latter to all the other Contracting Governments, and if any such modifications are accepted by all the Contracting Governments (including Governments which have deposited ratifications or accessions which have not yet become effective) the present Convention shall be modified accordingly.

Conferences.

2. Conferences for the purpose of revising the present Convention shall be held at such times and places as may be agreed upon by the Contracting Governments.

A Conference for this purpose shall be convoked by the Government of the United Kingdom of Great Britain and Northern Ireland whenever, after the present Convention has been in force for five years, one-third of the Contracting Governments express a desire to that effect.

ARTICLE 60.

Traités et Conventions antérieurs.

1. La présente Convention remplace et annule la Convention pour la Sauvegarde de la Vie Humaine en Mer signée à Londres le 20 janvier 1914.

2. Tous les autres traités, conventions ou accords qui concernent la sauvegarde de la vie humaine en mer ou les questions qui s'y rapportent et qui sont actuellement en vigueur entre les Gouvernements parties à la présente Convention, conservent leur plein et complet effet pendant la durée qui leur est assignée en ce qui concerne:

- (a) les navires auxquels la présente Convention ne s'applique pas;
- (b) les navires auxquels la présente Convention s'applique en ce qui concerne les points qui ne font pas l'objet de prescriptions expresses dans la présente Convention.

Au cas où, cependant, de tels traités, conventions, ou accords seraient en en opposition avec les dispositions de la présente Convention, les dispositions de cette dernière doivent prévaloir.

3. Tous les points qui ne font pas l'objet de prescriptions expresses dans la présente Convention restent soumis à la législation des Gouvernements contractants.

ARTICLE 61.

Modifications, Conférences futures.

1. Les modifications à la présente Convention qui pourraient être considérées comme des améliorations utiles ou nécessaires peuvent en tout temps être proposées par un Gouvernement contractant au Gouvernement du Royaume Uni de Grande-Bretagne et de l'Irlande du Nord. Ces propositions doivent être communiquées par ce dernier à tous les autres Gouvernements contractants et si l'une quelconque de ces modifications est acceptée par tous les Gouvernements contractants (y compris les Gouvernements ayant déposé des ratifications ou adhésions qui ne sont pas encore devenues effectives) la présente Convention doit être modifiée en conséquence.

2. Des conférences ayant pour objet la révision de la présente Convention se tiendront aux dates et lieux dont pourront convenir les Gouvernements contractants.

Une telle Conférence doit être convoquée par le Gouvernement du Royaume Uni de la Grande-Bretagne et de l'Irlande du Nord chaque fois que, la présente Convention ayant été en vigueur pendant cinq ans, un tiers des Gouvernements contractants en exprime le désir.

CHAPTER VIII.—FINAL PROVISIONS.

ARTICLE 62.

Application to Colonies, &c.

Application to colonies, etc

1. A Contracting Government may, at the time of signature, ratification, accession or thereafter, by a declaration in writing addressed to the Government of the United Kingdom of Great Britain and Northern Ireland, declare its desire that the present Convention shall apply to all or any of its colonies, overseas territories, protectorates or territories under suzerainty or mandate, and the present Convention shall apply to all the territories named in such declaration, two months after the date of the receipt thereof, but failing such declaration, the present Convention will not apply to any such territories.

2. A Contracting Government may at any time by a notification in writing addressed to the Government of the United Kingdom of Great Britain and Northern Ireland express its desire that the present Convention shall cease to apply to all or any of its colonies, overseas territories, protectorates or territories under suzerainty or mandate to which the present Convention shall have, under the provisions of the preceding paragraph, been applicable for a period of not less than five years, and in such case the present Convention shall cease to apply one year after the date of the receipt of such notification by the Government of the United Kingdom of Great Britain and Northern Ireland to all territories mentioned therein.

3. The Government of the United Kingdom of Great Britain and Northern Ireland shall inform all the other Contracting Governments of the application of the present Convention to any colony, overseas territory, protectorate or territory under suzerainty or mandate under the provisions of paragraph 1 of this Article, and of the cessation of any such application under the provisions of paragraph 2, stating in each case the date from which the present Convention has become or will cease to be applicable.

ARTICLE 63.

Authentic Texts. Ratification.

Authentic texts.

The present Convention of which both the English and French texts shall be authentic shall bear this day's date.

Ratification.

The present Convention shall be ratified.

Deposit of.

The instruments of ratification shall be deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland which will notify all the other signatory or acceding Governments of all ratifications deposited and the date of their deposit.

ARTICLE 64.

Accession.

Accession.

A Government (other than the Government of a territory to which Article 62 applies) on behalf of which the present Convention has not

CHAPITRE VIII.—DISPOSITIONS FINALES.

ARTICLE 62.

Application aux Colonies, &c.

1. Un Gouvernement contractant peut, au moment de la signature, de la ratification ou de l'adhésion, ou ultérieurement, notifier par une déclaration écrite adressée au Gouvernement du Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord son intention d'appliquer la présente Convention dans toutes ses colonies, territoires d'outre-mer, protectorats ou pays sous suzeraineté ou mandat, ou dans certains d'entre eux. La présente Convention doit s'appliquer dans tous les territoires désignés dans une telle déclaration deux mois après la date à laquelle elle aura été reçue, mais à défaut d'une telle déclaration, la présente Convention ne s'appliquera dans aucun de ces territoires.

2. Un Gouvernement contractant peut, à toute époque, par déclaration écrite, adressée au Gouvernement du Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord, faire connaître son intention de faire cesser l'application de la présente Convention dans toutes ses colonies, territoires d'outre-mer, protectorats ou territoires sous suzeraineté ou mandat, ou dans certains d'entre eux, auxquels la présente Convention aura dû être appliquée pour une période de cinq ans au moins conformément aux dispositions du paragraphe précédent. Dans ce cas, la présente Convention doit cesser de s'appliquer dans tous les territoires mentionnés un an après la date de la réception de cette déclaration par le Gouvernement du Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord.

3. Le Gouvernement du Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord doit informer tous les autres Gouvernements contractants de l'application de la présente Convention dans toute colonie, territoire d'outre-mer, protectorat ou territoire sous suzeraineté ou mandat conformément aux dispositions du paragraphe (1) du présent article et de la cessation de cette application, conformément aux dispositions du paragraphe (2), en spécifiant dans chaque cas, la date à partir de laquelle la présente Convention est devenue ou cessera d'être applicable.

ARTICLE 63.

Textes authentiques. Ratification.

La présente Convention dont les textes en anglais et en français sont l'un et l'autre authentiques porte la date de ce jour.

La présente Convention doit être ratifiée.

Les actes de ratification doivent être déposés dans les archives du Gouvernement du Royaume-Uni de la Grande-Bretagne, et de l'Irlande du Nord, qui notifiera à tous les autres Gouvernements signataires ou adhérents, toutes les ratifications déposées, ainsi que la date de leur dépôt.

ARTICLE 64.

Adhésion.

Un Gouvernement (autre que le Gouvernement d'un territoire auquel l'Article 62 s'applique), au nom duquel la présente Convention

been signed shall be allowed to accede thereto at any time after the Convention has come into force. Accessions may be effected by means of notifications in writing addressed to the Government of the United Kingdom of Great Britain and Northern Ireland, and shall take effect three months after their receipt.

The Government of the United Kingdom of Great Britain and Northern Ireland shall inform all signatory and acceding Governments of all accessions received and of the date of their receipt.

A Government which intends to accede to the present Convention but desires to add an area to those specified in the Annex to Article 28 shall, before notifying its accession, inform the Government of the United Kingdom of Great Britain and Northern Ireland of its desire for communication to all the other Contracting Governments. If all the Contracting Governments signify their assent thereto, the area shall be added to those mentioned in the aforesaid Annex when such Government notifies its accession.

ARTICLE 65.

Date of coming in Force.

Date of coming into
force

The present Convention shall come into force on the 1st July, 1931, as between the Governments which have deposited their ratifications by that date, and provided that at least five ratifications have been deposited with the Government of the United Kingdom of Great Britain and Northern Ireland. Should five ratifications not have been deposited on that date, the present Convention shall come into force three months after the date on which the fifth ratification is deposited. Ratifications deposited after the date on which the present Convention has come into force shall take effect three months after the date of their deposit.

ARTICLE 66.

Denunciation.

Denunciation.

The present Convention may be denounced on behalf of any Contracting Government at any time after the expiration of five years from the date on which the Convention comes into force in so far as that Government is concerned. Denunciation shall be effected by a notification in writing addressed to the Government of the United Kingdom of Great Britain and Northern Ireland, which will notify all the other Contracting Governments of all denunciations received and of the date of their receipt.

A denunciation shall take effect twelve months after the date on which notification thereof is received by the Government of the United Kingdom of Great Britain and Northern Ireland.

n'a pas été signée, est admis à y adhérer à toute époque après l'entrée en vigueur de ladite Convention. Les adhésions peuvent se faire par des notifications écrites adressées au Gouvernement du Royaume Uni de la Grande-Bretagne et de l'Irlande du Nord. Ces adhésions doivent prendre effet trois mois après la date de leur réception.

Le Gouvernement du Royaume Uni de la Grande-Bretagne et de l'Irlande du Nord doit informer tous les Gouvernements signataires et adhérents de toutes les adhésions reçues et de la date de leur réception.

Un Gouvernement qui se propose d'adhérer à la présente Convention mais qui désire ajouter une zone à celles spécifiées à l'Annexe de l'Article 28, doit, avant de notifier son adhésion, informer de ce désir le Gouvernement du Royaume Uni de la Grande-Bretagne ou de l'Irlande du Nord afin que celui-ci la communique à tous les Gouvernements Contractants. Si tous les Gouvernements Contractants signifient leur accord sur cette demande, ladite zone doit être ajoutée à celles qui sont mentionnées à l'annexe précitée lorsque le Gouvernement en question notifiera son adhésion.

ARTICLE 65.

Date d'entrée en vigueur.

La présente Convention entrera en vigueur le 1^{er} juillet 1931, entre les Gouvernements qui auront, à cette date, déposé leur ratification et à la condition qu'au moins cinq ratifications aient été déposées au Gouvernement du Royaume-Uni de la Grande-Bretagne et de l'Irlande du Nord. Au cas où cinq ratifications n'auraient pas été déposées à cette date, la présente Convention entrera en vigueur trois mois après la date à laquelle la cinquième ratification aura été déposée. Les ratifications déposées postérieurement à la date à laquelle la présente Convention sera entrée en vigueur prendront effet trois mois après la date de leur dépôt.

ARTICLE 66.

Dénonciation.

La présente Convention peut être dénoncée au nom de l'un quelconque des Gouvernements contractants à tout moment après l'expiration d'une période de cinq ans, comptée à partir de la date à laquelle la Convention est entrée en vigueur pour le Gouvernement en question. La dénonciation sera effectuée par une notification écrite adressée au Gouvernement du Royaume Uni de la Grande-Bretagne et de l'Irlande du Nord; celui-ci notifiera à tous les autres Gouvernements contractants toutes les dénonciations reçues et la date de leur réception.

Une dénonciation prendra effet douze mois après la date à laquelle cette notification aura été reçue par le Gouvernement du Royaume Uni de la Grande Bretagne et de l'Irlande du Nord.

In faith whereof, the Plenipotentiaries have signed hereafter.

En foi de quoi, les Plénipotentiaires ont apposé ci-dessous leur signature.

Signatures of Plenipotentiaries

Done at London this thirty-first day of May, 1929, in a single copy, which shall remain deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland, which shall transmit certified true copies thereof to all signatory Governments.

Fait à Londres ce trente et unième jour du mois de mai, 1929, en un seul exemplaire qui doit être déposé dans les Archives du Gouvernement du Royaume Uni de la Grande-Bretagne et de l'Irlande du Nord, lequel doit en transmettre des copies certifiées conformes à tous les Gouvernements signataires.

STHAMER.

GUSTAV KOENIGS.

ARTHUR WERNER.

WALTER LAAS.

OTTO RIESS.

HERMANN GIESS.

HUGO DOMINIK.

HENRY JAMES FEAKES.

THOMAS FREE.

A. DE GERLACHE DE GOMERY.

G. DE WINNE.

A. JOHNSTON.

LUCIEN PACAUD.

EMIL KROGH.

V. LORCK.

JAVIER DE SALAS.

JOHN WHELAN DULANTY.

E. C. FOSTER.

WALLACE H. WHITE.

ARTHUR J. TYRER.

CHARLES M. BARNES.

GEO. H. ROCK.

CLARENCE S. KEMPF.

DICKERSON N. HOOVER.

W. D. TERRELL.

JOHN G. TAWRESEY.

HERBERT B. WALKER.

CHARLES A. McALLISTER.

GUSTAF WREDE.

V. BERGMAN.

KARL KURTEN.

RIO.

A. HAARBLEICHER.

JEAN MARIE.

F. THOUROUDE.

H. W. RICHMOND.

WESTCOTT ABELL.

A. L. AYRE.

F. W. BATE.

C. H. BOYD.

WILLIAM C. CURRIE.

A. J. DANIEL.

NORMAN HILL.

C. HIPWOOD.

A. MORRELL.

G. L. CORBETT.

E. V. WHISH.

MANSUKHLAL ATMARAM MASTER.

GIULIO INGIANNI.

ALBERTO ALESSIO.

DELFINO ROGERI DI VILLANOVA.

TORQUATO C. GIANNINI.

FRANCESCO MARENA.

ERNESTO FERRETTI.

G. GNEME.

LUIGI BIANCHERI.

YUKIO YAMAMOTO.

SHICHIHEI OTA.

ITARO ISHII.

B. VOGT.

L. T. HANSEN.

ARTH H. MATHIESEN.

C. FOCK.

C. H. DE GOEJE.

A. VAN DRIEL.

J. A. BLAND-V.-D.-BERG.

PHS. VAN OMMEREN.

H. G. J. UILKENS.

ERIK PALMSTIERNA.

NILS GUSTAF NILSSON.

J. ARENS.

K. EGGI.

Annex I.

ANNEX I.

Regulations.

REGULATIONS.

Construction.

CONSTRUCTION.

REGULATION I.

Definitions.

Definitions.

Subdivision load-line	(1.) The <i>subdivision loadline</i> is the waterline used in determining the subdivision of the ship.
Deepest subdivision loadline	The <i>deepest subdivision loadline</i> is that which corresponds to the greatest draught.
Length of the ship.	(2.) The <i>length of the ship</i> is the length measured between perpendiculars taken at the extremities of the deepest subdivision loadline.
Breadth of the ship	(3.) The <i>breadth of the ship</i> is the extreme width from outside of frame to outside of frame at or below the deepest subdivision loadline.
Bulkhead deck	(4.) The <i>bulkhead deck</i> is the uppermost deck up to which the transverse watertight bulkheads are carried.
Margin line	(5.) The <i>margin line</i> is a line drawn parallel to the bulkhead deck at side and 3 inches (76 millimetres) below the upper surface of that deck at side.
Draught	(6.) The <i>draught</i> is the vertical distance from the top of keel amidships to the subdivision loadline in question.
Permeability	(7.) The <i>permeability</i> of a space is the percentage of that space which can be occupied by water. The volume of a space which extends above the margin line shall be measured only to the height of that line.
Machinery space	(8.) The <i>machinery space</i> is to be taken as extending from the top of keel to the margin line and between the extreme main transverse watertight bulkheads bounding the spaces devoted to the main and auxiliary propelling machinery, boilers when installed, and all permanent coal bunkers.
Passenger spaces	(9.) <i>Passenger spaces</i> are those which are provided for the accommodation and use of passengers, excluding baggage, store, provision and mail rooms.
Post, pp 1190, 1192.	For the purposes of Regulations III and IV, spaces provided below the margin line for the accommodation and use of the crew shall be regarded as passenger spaces.
Volumes.	(10.) In all cases <i>volumes</i> shall be calculated to moulded lines.

ANNEXE I.
RÈGLEMENT.
CONSTRUCTION.

RÈGLE I.

Définitions.

(1.) La *ligne de charge de compartimentage* est la flottaison considérée dans la détermination du compartimentage du navire.

La *ligne de charge maximum de compartimentage* est celle qui correspond au tirant d'eau le plus élevé.

(2.) La *longueur du navire* est la longueur mesurée entre les perpendiculaires menées aux extrémités de la ligne de charge maximum de compartimentage.

(3.) La *largeur du navire* est la largeur extrême hors membres mesurée à la ligne de charge maximum de compartimentage ou au-dessous de cette ligne de charge.

(4.) Le *pont de cloisonnement* est le pont le plus élevé jusqu'auquel s'élèvent les cloisons étanches transversales.

(5.) La *ligne de surimmersion* est une ligne tracée sur le bordé, à 76 millimètres (3 pouces), au-dessous de l'intersection de la surface extérieure du bordé avec la surface supérieure du pont de cloisonnement, en abord, parallèlement à ce pont.

(6.) Le *tirant d'eau* est la distance verticale du dessus de la quille au milieu, à la ligne de charge de compartimentage considérée.

(7.) La *perméabilité* d'un espace s'exprime par le pourcentage du volume de cet espace que l'eau peut occuper.

Le volume d'un espace qui s'étend au-dessus de la ligne de surimmersion sera mesuré seulement jusqu'à la hauteur de cette ligne.

(8.) La *tranche des machines* s'étend entre le dessus de la quille et la ligne de surimmersion, d'une part, et, d'autre part, entre les cloisons étanches transversales principales qui limitent l'espace occupé par les machines principales, les machines auxiliaires relatives à la propulsion, les chaudières, s'il y en a, et toutes les soutes à charbon permanentes.

(9.) Les *espaces à passagers* sont ceux qui sont prévus pour le logement et l'usage des passagers à l'exclusion des soutes à bagages, des magasins, des soutes à provisions, et à colis postaux et à dépêches.

Pour l'application des prescriptions des Règles III et IV, les espaces prévus en dessous de la ligne de surimmersion pour le logement et l'usage de l'équipage, seront considérés comme espaces à passagers.

(10.) Dans tous les cas, les *volumes* doivent être les volumes hors membres.

REGULATION II.

Floodable Length.

Floodable length.

(1.) The floodable length at any point of the length of a ship shall be determined by a method of calculation which takes into consideration the form, draught and other characteristics of the ship in question.

(2.) In a ship with a continuous bulkhead deck, the floodable length at a given point is the maximum portion of the length of the ship, having its centre at the point in question, which can be flooded under the definite assumptions hereafter set forth in Regulation III without the ship being submerged beyond the margin line.

(3.) In the case of a ship not having a continuous bulkhead deck, the floodable length at any point may be determined to an assumed continuous margin line, up to which, having regard to sinkage and trim after damage, the sides of the ship and the bulkheads concerned are carried watertight.

REGULATION III.

Permeability.

Permeability.

(1.) The definite assumptions referred to in Regulation II relate to the permeabilities of the spaces below the margin line.

In determining the floodable length, a uniform average permeability shall be used throughout the whole length of each of the following portions of the ship below the margin line:—

- (a) the machinery space as defined in Regulation I (8);
- (b) the portion forward of the machinery space; and
- (c) the portion abaft the machinery space.

(2.)—(a.) For steamships the uniform average permeability throughout the machinery space shall be determined from the formula—

$$80 + 12 \cdot 5 \left(\frac{a-c}{v} \right), \text{ where}$$

a=volume of the passenger spaces, as defined in Regulation I (9), which are situated below the margin line within the limits of the machinery space.

c=volume of between deck spaces below the margin line within the limits of the machinery space which are appropriated to cargo, coal or stores.

v=whole volume of the machinery space below the margin line.

(b.) For ships propelled by internal combustion engines, the uniform average permeability shall be taken as 5 greater than that given by the above formula.

RÈGLE II.

Longueur envahissable.

(1.) Pour chaque point de la longueur du navire la longueur envahissable doit être déterminée par une méthode de calcul tenant compte des formes, du tirant d'eau et des autres caractéristiques du navire considéré.

(2.) Pour un navire dont les cloisons transversales étanches sont limitées par un pont de cloisonnement continu, la longueur envahissable en un point donné est la portion maximum de la longueur du navire, ayant pour centre le point considéré et qui peut être envahie par l'eau dans les conditions hypothétiques définies par la Règle III, sans que le navire s'immerge au delà de la ligne de surimmersion.

(3.) Pour un navire n'ayant pas de pont de cloisonnement continu, la longueur envahissable en chaque point peut être déterminée en considérant une ligne de surimmersion continue, jusqu'à laquelle, compte tenu de l'immersion et du changement d'assiette qui peuvent résulter d'une avarie, la muraille du navire et les cloisons correspondantes sont maintenues étanches.

RÈGLE III.

Perméabilité.

(1.) Les hypothèses visées à la Règle II sont relatives aux perméabilités des volumes, limités supérieurement à la ligne de surimmersion.

Dans la détermination des longueurs envahissables, on adopte une perméabilité moyenne uniforme pour l'ensemble de chacune des trois parties suivantes du navire, limitées supérieurement à la ligne de surimmersion:

- (a) la tranche des machines, comme définie par la Règle I (8);
- (b) la partie du navire à l'avant de la tranche des machines, et
- (c) la partie du navire à l'arrière de la tranche des machines.

(2.)—(a.) Pour les navires à vapeur, la perméabilité moyenne de la tranche des machines sera calculée par la formule

$$80 + 12,5 \left(\frac{a-c}{v} \right)$$

dans laquelle:

- a = volume des espaces à passagers suivant la définition de la Règle I (9), qui sont situés au-dessous de la ligne de surimmersion et compris dans la tranche des machines;
- c = volume des entreponts, affectés aux marchandises, au charbon ou aux provisions de bord, qui sont situés au-dessous de la ligne de surimmersion et compris dans la tranche des machines;
- v = volume total de la tranche des machines au-dessous de la ligne de surimmersion.

(b.) Pour les navires qui ont des moteurs à combustion interne, la perméabilité moyenne uniforme sera égale à la valeur donnée par la formule précédente augmentée de 5.

(c.) Where it is shown to the satisfaction of the Administration that the average permeability, as determined by detail calculation, is less than that given by the formula, the calculated value may be substituted. For the purposes of such calculation, the permeabilities of passenger spaces, as defined in Regulation I (9), shall be taken as 95, that of all cargo, coal and store spaces as 60, and that of double bottom, oil fuel and other tanks at such values as may be approved in each case by the Administration.

(3.) The uniform average permeability throughout the portion of the ship before (or abaft) the machinery space shall be determined from the formula—

$$63 + 35 \frac{a}{v}, \text{ where}$$

a = volume of the passenger spaces, as defined in Regulation I (9), which are situated below the margin line, before (or abaft) the machinery space, and

v = whole volume of the portion of the ship below the margin line before (or abaft) the machinery space.

(4.) If a between deck compartment between two watertight transverse bulkheads contains any passenger or crew space, the whole of that compartment, less any space completely enclosed within permanent steel bulkheads and appropriated to other purposes, shall be regarded as passenger space. If, however, the passenger or crew space in question is completely enclosed within permanent steel bulkheads, only the space so enclosed need be considered as passenger space.

REGULATION IV.

Permissible Length of Compartments.

Permissible length
of compartments.

Factor of sub-
division.

(1.) *Factor of Subdivision.*—The maximum permissible length of a compartment having its centre at any point in the ship's length is obtained from the floodable length by multiplying the latter by an appropriate factor called the *factor of subdivision*.

The factor of subdivision shall depend on the length of the ship, and for a given length shall vary according to the nature of the service for which the ship is intended. It shall decrease in a regular and continuous manner—

- (a) as the length of the ship increases, and
- (b) from a factor A, applicable to ships primarily engaged in the carriage of cargo, to a factor B, applicable to ships primarily engaged in the carriage of passengers.

(c.) Lorsqu'on pourra établir, à la satisfaction de l'Administration que la perméabilité moyenne déterminée par un calcul direct est moindre que celle qui résulte de la formule, on pourra substituer à cette dernière la perméabilité calculée directement. Pour ce calcul direct, la perméabilité des espaces affectés aux passagers définis par la Règle I (9) sera prise égale à 95, celle des espaces affectés aux marchandises, au charbon et aux provisions de bord, égale à 60, et celle du double-fond, des soutes à combustible liquide et autres réservoirs sera fixée aux valeurs approuvées dans chaque cas par l'Administration.

(3.) La perméabilité moyenne uniforme sur toute la longueur du navire en avant (ou en arrière) de la tranche des machines, sera déterminée par la formule

$$63 + 35 \frac{a}{v}$$

dans laquelle:

a = volume des espaces à passagers, suivant la définition de la Règle I (9), qui sont situés sous la ligne de surimmersion, en avant (ou en arrière) de la tranche des machines, et
 v = volume total de la partie du navire au-dessous de la ligne de surimmersion et en avant (ou en arrière) de la tranche des machines.

(4.) Si un compartiment, dans un entrepont, entre deux cloisons étanches transversales, renferme un espace affecté aux passagers ou à l'équipage, on considérera comme espace à passagers l'ensemble de ce compartiment, en déduisant, toutefois, tout espace affecté à un autre service qui serait complètement entouré de cloisons métalliques permanentes. Si, cependant, l'espace en question affecté aux passagers ou à l'équipage est lui-même complètement entouré de cloisons métalliques permanentes, on ne comptera que cet espace comme espace à passagers.

RÈGLE IV.

Longueur admissible des Compartiments.

(1.) *Facteur de cloisonnement.*—La longueur maximum admissible pour le compartiment ayant son centre en un point quelconque de la longueur d'un navire, se déduit de la longueur envahissable en multipliant celle-ci par un facteur approprié dit *facteur de cloisonnement*.

Le facteur de cloisonnement doit dépendre de la longueur du navire et, pour une longueur donnée, varie selon la nature du service pour lequel le navire est prévu. Ce facteur doit décroître d'une façon régulière et continue:

- (a) à mesure que la longueur du navire augmente, et
- (b) depuis un facteur A applicable aux navires essentiellement affectés au transport des marchandises, jusqu'à un facteur B applicable aux navires essentiellement affectés au transport des passagers.

The variations of the factors A and B shall be expressed by the following formulæ (i) and (ii) where L is the length of the ship as defined in Regulation I (2):—

L in feet.	L in metres.
$A = \frac{190}{L-198} + .18 \quad (L=430 \text{ and upwards}).$	$A = \frac{58.2}{L-60} + .18 \quad (L=131 \text{ and upwards}). \quad \dots \dots (i)$
$B = \frac{100}{L-138} + .18 \quad (L=260 \text{ and upwards}).$	$B = \frac{30.3}{L-42} + .18 \quad (L=79 \text{ and upwards}). \quad \dots \dots (ii)$

Criterion of service

(2.) *Criterion of Service.*—For a ship of given length the appropriate factor of subdivision shall be determined by the Criterion of Service Numeral (hereinafter called the Criterion Numeral) as given by the following formulæ (iii) and (iv) where:—

C_s = the Criterion Numeral;

L = length of the ship, as defined in Regulation I (2);

M = the volume of the machinery space, as defined in Regulation I (8); with the addition thereto of the volume of any permanent oil fuel bunkers which may be situated above the inner bottom and before or abaft the machinery space;

P = the whole volume of the passenger spaces below the margin line, as defined in Regulation I (9);

V = the whole volume of the ship below the margin line;

P_1 = KN where:—

N = number of passengers for which the ship is to be certified, and

K has the following values:—

	Value of K.
Length in feet and volumes in cubic feet6 L.
Length in metres and volumes in cubic metres056 L.

Where the value of KN is greater than the sum of P and the whole volume of the actual passenger spaces above the margin line the lower figure may be taken provided that the value of P_1 used is not less than $\frac{1}{2}$ KN.

When P_1 is greater than P

$$C_s = 72 \frac{M + 2P_1}{V + P_1 - P} \quad \dots \dots \dots (iii)$$

and in other cases

$$C_s = 72 \frac{M + 2P}{V} \quad \dots \dots \dots (iv)$$

For ships not having a continuous bulkhead deck the volumes are to be taken up to the actual margin lines used in determining the floodable lengths.

Rules for subdivision

(3.) *Rules for Subdivision.*—(a.) The subdivision abaft the fore peak of ships 430 feet (131 metres) in length and upwards having a criterion numeral of 23 or less shall be governed by the factor A given by formula (i); of those having a criterion numeral of 123 or more by the

Les variations des facteurs A et B sont données par les formules (i) et (ii) suivantes, dans lesquelles L est la longueur du navire définie par la Règle I (2).

L en mètres.	L en pieds.
$A = \frac{58,2}{L-60} + 0,18$ (L=131 et au-dessus).	$A = \frac{190}{L-198} + 0,18$ (L=430 et au-dessus). (i)
$B = \frac{30,3}{L-42} + 0,18$ (L=79 et au-dessus).	$B = \frac{100}{L-138} + 0,18$ (L=260 et au-dessus). (ii)

(2.) *Critérium de Service.*—Pour un navire de longueur donnée, le facteur de cloisonnement approprié est déterminé à l'aide de la valeur du Critérium de Service (appelé ci-après Critérium) donné par les formules (iii) et (iv) ci-après, dans lesquelles:

- C_s = le Critérium;
- L = la longueur du navire, définie par la Règle I (2);
- M = le volume de la tranche des machines, défini par la Règle I (8), mais en y ajoutant le volume de toutes les soutes permanentes à combustible liquide, situées hors du double-fond et en avant ou en arrière de la tranche des machines;
- P = le volume total des espaces à passagers au-dessous de la ligne de surimmersion d'après la définition de la Règle I (9);
- V = le volume total du navire au-dessous de la ligne de surimmersion;
- P_1 = le produit KN;
- N = le nombre de passagers pour lequel le navire est destiné à être autorisé; et
- K = 0,056 L, si L et V sont mesurés en mètres et mètres cubes respectivement (0.6 L, si L et V sont mesurés en pieds et pieds cubes respectivement).

Si la valeur du produit KN est plus grande que la valeur de la somme de P et du volume total réel affecté aux passagers, au-dessous de la ligne de surimmersion, on peut prendre pour P_1 la valeur la plus faible des deux, sous réserve que cette valeur ne soit pas inférieure aux deux tiers de KN.

Si P_1 est plus grand que P on aura

$$C_s = 72 \frac{M + 2P_1}{V + P_1 - P} \quad \text{. (iii)}$$

et dans les autres cas

$$C_s = 72 \frac{M + 2P}{V} \quad \text{. (iv)}$$

Dans le cas des navires n'ayant pas de pont de cloisonnement continu, on calculera les volumes jusqu'à la ligne de surimmersion effectivement considérée dans le calcul de la longueur envahissable.

(3.) *Prescriptions pour le Compartimentage.*—(a.) *Le cloisonnement en arrière de la cloison d'abordage* des navires ayant une longueur de 131 mètres (430 pieds) et au-dessus et dont le critérium est au plus égal à 23, doit être déterminé par le facteur A donné par la formule (i);

factor B given by formula (ii); and of those having a criterion numeral between 23 and 123 by the factor F obtained by linear interpolation between the factors A and B, using the formula:—

$$F=A-\frac{(A-B)(C_s-23)}{100} \dots\dots\dots (v)$$

Where the factor F is less than .40 and it is shown to the satisfaction of the Administration to be impracticable to comply with the factor F in a machinery compartment of the ship, the subdivision of such compartment may be governed by an increased factor, which, however, shall not exceed .40.

(b.) *The subdivision abaft the fore peak* of ships less than 430 feet (131 metres) but not less than 260 feet (79 metres) in length having a criterion numeral equal to S, where $S=\frac{9382-20L}{34}$ (L in feet) $=\frac{3574-25L}{13}$ (L in metres) shall be governed by the factor unity; of those having a criterion numeral of 123 or more by the factor B given by the formula (ii); of those having a criterion numeral between S and 123 by the factor F obtained by linear interpolation between unity and the factor B, using the formula:—

$$F=1-\frac{(1-B)(C_s-S)}{123-S} \dots\dots\dots (vi)$$

(c.) *The subdivision abaft the fore peak* of ships less than 430 feet (131 metres) but not less than 260 feet (79 metres) in length and having a criterion numeral less than S, and of all ships less than 260 feet (79 metres) in length shall be governed by the factor unity, unless it is shown to the satisfaction of the Administration to be impracticable to comply with this factor in any part of the ship, in which case, the Administration may allow such relaxation as may appear to be justified, having regard to all the circumstances.

(d.) The provisions of sub-paragraph (c) shall apply also to ships of whatever length, which are to be certified to carry a number of passengers exceeding 12 but not exceeding $\frac{L^2 \text{ (in feet)}}{7000} \left(\frac{L^2 \text{ (in metres)}}{650} \right)$ or 50, whichever is the less.

REGULATION V.

Special Rules concerning Subdivision.

Special rules concerning subdivision

(1.) A compartment may exceed the permissible length determined by the rules of Regulation IV provided the combined length of each pair of adjacent compartments to which the compartment in question is common does not exceed either the floodable length or twice the permissible length, whichever is the less.

de ceux qui ont un critérium au moins égal à 123, par le facteur B donné par la formule (ii); enfin, de ceux qui ont un critérium compris entre 23 et 123, par un facteur F obtenu par interpolation linéaire, à l'aide de la formule:

$$F = A - \frac{(A-B)(C_s - 23)}{100} \dots \dots \dots (v)$$

Si le facteur F est inférieur à 0.40 et s'il est établi, à la satisfaction de l'Administration, qu'il est pratiquement impossible d'adopter ce facteur pour un compartiment de la tranche des machines du navire considéré, le cloisonnement de ce compartiment peut être déterminé avec un facteur plus élevé, pourvu, toutefois, que ce facteur ne soit pas supérieur à 0.40.

(b.) *Le cloisonnement en arrière de la cloison d'abordage* des navires ayant moins de 131 mètres (430 pieds), mais pas moins de 79 mètres (260 pieds) de longueur, dont le critérium aura la valeur S donnée par la formule:

$$S = \frac{3574 - 25L}{13} (L \text{ en mètres}) = \frac{9382 - 20L}{34} (L \text{ en pieds})$$

doit être déterminé par un facteur égal à l'unité, de ceux dont le critérium est égal ou supérieur à 123, par le facteur B donné par la formule (ii), enfin, de ceux dont le critérium est compris entre S et 123, par un facteur obtenu par interpolation linéaire entre l'unité et le facteur B, au moyen de la formule:

$$F = 1 - \frac{(1-B)(C_s - S)}{123 - S} \dots \dots \dots (vi)$$

(c.) *Le cloisonnement en arrière de la cloison d'abordage* des navires ayant moins de 131 mètres (430 pieds) de longueur, mais pas moins de 79 mètres (260 pieds) dont le critérium est moindre que S, et de tous les navires ayant moins de 79 mètres (260 pieds) de longueur, doit être déterminé par un facteur égal à l'unité, à moins qu'il ne soit établi à la satisfaction de l'Administration qu'il est pratiquement impossible de maintenir ce facteur dans tout ou partie du navire; dans ce cas, l'Administration pourra accorder des tolérances dans la mesure qui lui paraîtra justifiée par les circonstances.

(d.) Les prescriptions de l'alinéa (c) s'appliqueront également, quelle qu'en soit la longueur, aux navires qui seront prévus pour porter un nombre de passagers dépassant douze (12), mais ne dépassant pas le plus petit des deux nombres $\frac{L^2 (L \text{ en mètres})}{650}$ $\left(\frac{L^2 (L \text{ en pieds})}{7000} \right)$ ou 50.

RÈGLE V.

Prescriptions spéciales relatives au Compartimentage.

(1.) Un compartiment peut dépasser la longueur admissible fixée par les prescriptions de la Règle IV, pourvu que la longueur de chacune des deux paires de compartiments adjacents, comprenant chacune le compartiment en question ne dépasse ni la longueur envahissable, ni deux fois la longueur admissible.

If one of the two adjacent compartments is situated inside the machinery space, and the second is situated outside the machinery space, and the average permeability of the portion of the ship in which the second is situated differs from that of the machinery space, the combined length of the two compartments shall be adjusted to the mean average permeability of the two portions of the ship in which the compartments are situated.

Where the two adjacent compartments have different factors of subdivision, the combined length of the two compartments shall be determined proportionately.

(2.) In ships 430 feet (131 metres) in length and upwards, one of the main transverse bulkheads abaft the fore peak shall be fitted at a distance from the forward perpendicular which is not greater than the permissible length.

(3.) A main transverse bulkhead may be recessed provided that all parts of the recess lie inboard of vertical surfaces on both sides of the ship, situated at a distance from the shell plating equal to one-fifth the breadth of the ship, as defined in Regulation I (3), and measured at right angles to the centreline at the level of the deepest subdivision loadline.

Any part of a recess which lies outside these limits shall be dealt with as a step in accordance with the following paragraph.

(4.) A main transverse bulkhead may be stepped provided that—

(a) the combined length of the two compartments, separated by the bulkhead in question, does not exceed 90 per cent. of the floodable length, or

(b) additional subdivision is provided in way of the step to maintain the same measure of safety as that secured by a plane bulkhead.

(5.) Where a main transverse bulkhead is recessed or stepped, an equivalent plane bulkhead shall be used in determining the subdivision.

(6.) If the distance between two adjacent main transverse bulkheads, or their equivalent plane bulkheads, or the distance between the transverse planes passing through the nearest stepped portions of the bulkheads, is less than 10 feet (3.05 metres) plus 2 per cent. of the length of the ship, only one of these bulkheads shall be regarded as forming part of the subdivision of the ship in accordance with the provisions of Regulation IV.

(7.) Where a main transverse watertight compartment contains local subdivision and it can be shown to the satisfaction of the Administration that, after any assumed side damage extending over a length of 10 feet (3.05 metres) plus 2 per cent. of the length of the ship, the whole volume of the main compartment will not be flooded, a proportionate allowance may be made in the permissible length otherwise required for such compartment.

Si l'un des deux compartiments adjacents est situé dans la tranche des machines et le second en dehors de la tranche des machines, et si la perméabilité moyenne de la portion du navire où le second est situé n'est pas la même que celle de la tranche des machines, la longueur combinée des deux compartiments doit être corrigée en prenant pour base la moyenne des perméabilités des deux portions du navire auquel les compartiments en question appartiennent.

Lorsque les deux compartiments adjacents ont des facteurs de cloisonnement différents, la longueur combinée de ces deux compartiments doit être déterminée proportionnellement.

(2.) Pour les navires d'au moins 131 mètres (430 pieds) de longueur, une des cloisons principales transversales en arrière de la cloison d'abordage doit être placée à une distance de la perpendiculaire avant au plus égale à la longueur admissible.

(3.) Une cloison transversale principale peut présenter une niche, pourvu qu'aucun point de la niche ne dépasse vers l'extérieur du navire deux surfaces verticales menées de chaque bord à une distance du bord égale à $\frac{1}{4}$ de la largeur du navire définie par la Règle I (3), cette distance étant mesurée normalement au plan diamétral du navire et dans le plan de la ligne de charge maximum de compartimentage.

Si une partie d'une niche dépasse les limites ainsi fixées, cette partie sera considérée comme une baïonnette et on lui appliquera les règles du paragraphe suivant.

(4.) Une cloison transversale principale peut être à baïonnette, pourvu:

(a) que la longueur combinée des deux compartiments séparés par la cloison en question n'excède pas 90 pour cent de la longueur envahissable; ou bien

(b) que par le travers de la baïonnette, un compartimentage supplémentaire soit prévu pour maintenir le même degré de sécurité que si la cloison était plane.

(5.) Lorsqu'une cloison transversale principale présente une niche ou une baïonnette, on la remplacera dans la détermination du cloisonnement par une cloison plane équivalente.

(6.) Si la distance entre deux cloisons transversales principales adjacentes, ou entre les cloisons planes équivalentes, ou enfin la distance entre deux plans verticaux passant par les points les plus rapprochés des baïonnettes, s'il y en a, est inférieure à 3 mètres 05 (10 pieds) plus 2 pour cent de la longueur du navire, une seule de ces cloisons sera acceptée comme faisant partie du cloisonnement du navire tel qu'il est prescrit par la Règle IV.

(7.) Lorsqu'un compartiment principal étanche transversal est lui-même compartimenté, s'il peut être établi à la satisfaction de l'Administration que, dans l'hypothèse d'une avarie s'étendant sur une longueur de 3m. 050 (10 pieds) plus 2 pour cent de la longueur du navire, le volume total du compartiment principal ne peut être rempli, une augmentation proportionnée peut être accordée sur la longueur admissible déterminée sans tenir compte de ce compartimentage supplémentaire.

In such a case the volume of effective buoyancy assumed on the undamaged side shall not be greater than that assumed on the damaged side.

(8.) Where it is proposed to fit watertight decks, inner skins or longitudinal bulkheads, watertight or non-watertight, the Administration shall be satisfied that the safety of the ship will not be diminished in any respect, particularly having in view the possible listing effect of flooding in way of such structural arrangements.

REGULATION VI.

Peak and Machinery Space Bulkheads, Shaft Tunnels, &c.

Peak and machinery space bulkheads, shaft tunnels, etc

(1.) Every ship shall have a forepeak or collision bulkhead, which shall be watertight up to the bulkhead deck. This bulkhead shall be fitted not less than 5 per cent. of the length of the ship, and not more than 10 feet (3.05 metres) plus 5 per cent. of the length of the ship from the forward perpendicular.

If the ship has a long forward superstructure, the forepeak bulkhead shall be extended weathertight to the deck next above the bulkhead deck. The extension need not be fitted directly over the bulkhead below, provided it is at least 5 per cent. of the length of the ship from the forward perpendicular, and the part of the bulkhead deck which forms the step is made effectively weathertight.

Ante, p 1188

(2.) An afterpeak bulkhead, and bulkheads dividing the machinery space, as defined in Regulation I (8), from the cargo and passenger spaces forward and aft, shall also be fitted and made watertight up to the bulkhead deck. The afterpeak bulkhead may, however, be stopped below the bulkhead deck, provided the degree of safety of the ship as regards subdivision is not thereby diminished.

(3.) In all cases stern tubes shall be enclosed in watertight spaces. The stern gland shall be situated within a watertight shaft tunnel or other space of such volume that if flooded by leakage through the stern gland the margin line will not be submerged.

REGULATION VII.

Subdivision load-lines

Assigning, Marking and Recording of Subdivision Loadlines.

Assigning, marking, and recording
Ante, p 1134.

(1.) The subdivision loadlines assigned and marked under the provisions of Article 5 of the Convention shall be recorded in the Safety Certificate, and shall be distinguished by the notation C.1 for the principal passenger condition, and C.2, C.3, &c., for the alternative conditions.

Dans ce cas, le volume de la réserve de flottabilité supposé intact du côté opposé à l'avarie ne devra pas être supérieur à celui qui est supposé intact du côté de l'avarie.

(8.) Lorsqu'on proposera de construire des ponts étanches, des double-coques ou des cloisons longitudinales étanches ou non, l'Administration s'assurera que la sécurité du navire n'est diminuée sous aucun rapport, en tenant spécialement compte de la bande qui peut se produire en cas d'envahissement de ces parties de la coque.

RÈGLE VI.

Cloisons d'extrémité, Cloisons limitant la Tranche des Machines, Tunnels des Lignes d'arbres, &c.

(1.) Tout navire doit être pourvu d'une cloison de coqueron avant ou d'abordage qui doit être étanche jusqu'au pont de cloisonnement. Cette cloison doit être placée à une distance de la perpendiculaire avant égale au moins à 5 pour cent de la longueur du navire et au plus à 3m. 05 (10 pieds) plus 5 pour cent de la longueur du navire.

S'il existe à l'avant une longue superstructure, une cloison étanche aux intempéries doit être établie au-dessus de la cloison d'abordage entre le pont de cloisonnement et le pont situé immédiatement au-dessus. Le prolongement de la cloison d'abordage peut ne pas être placé directement au-dessus de celle-ci, pourvu que ce prolongement soit à une distance de la perpendiculaire avant au moins égale à 5 pour cent de la longueur du navire et que la partie du pont de cloisonnement qui forme baïonnette soit effectivement étanche aux embruns.

(2.) Il y aura également une cloison de coqueron arrière et des cloisons séparant la tranche des machines, telle qu'elle est définie par la Règle I (8), des espaces à passagers et marchandises situés à l'avant et à l'arrière; ces cloisons doivent être étanches jusqu'au pont de cloisonnement. Toutefois, la cloison du coqueron arrière peut être arrêtée au-dessous de ce pont, pourvu que le degré de sécurité du navire en ce qui concerne le compartimentage ne soit pas diminué de ce fait.

(3.) Dans tous les cas, les tubes de sortie d'arbres arrière doivent être enfermés dans des espaces étanches. Le presse étoupe arrière doit être placé à l'intérieur d'un tunnel étanche ou dans un autre espace d'un volume assez réduit pour qu'il puisse être rempli par une fuite du presse-étoupe sans que la ligne de surimmersion soit immergée.

RÈGLE VII.

Détermination, Marquage et Inscription des Lignes de charge de Compartimentage.

(1.) Les lignes de charge de compartimentage déterminées et tracées conformément aux prescriptions de l'Article 5 de la Convention doivent être mentionnées sur le Certificat de Sécurité en désignant par la notation C.1 celle qui se rapporte au cas où le navire est employé principalement au service des passagers, et par les notations C.2, C.3, &c., celles qui se rapportent aux autres cas d'utilisation de navire.

(2.) The freeboard corresponding to each of these loadlines inserted in the Safety Certificate shall be measured at the same position and from the same deck line as the freeboards determined by recognised national Freeboard Regulations.

(3.) In no case shall any subdivision loadline mark be placed above the deepest loadline in salt water as determined by the strength of the ship and/or recognised national Freeboard Regulations.

(4.) Whatever may be the position of the subdivision loadline marks, a ship shall in no case be loaded so as to submerge the loadline mark appropriate to the season and locality as determined by the recognised national Freeboard Regulations.

REGULATION VIII.

Watertight bulk-heads, etc.

Construction and Initial Testing of Watertight Bulkheads, &c.

Construction and initial testing of.

(1.) Watertight subdivision bulkheads, whether transverse or longitudinal, shall be constructed in such a manner that they shall be capable of supporting with a proper margin of resistance, the pressure due to a head of water up to the margin line in way of each bulkhead. The construction of these bulkheads shall be to the satisfaction of the Administration.

(2.) Steps and recesses in bulkheads shall be watertight and as strong as the bulkhead at the place where each occurs.

Where frames or beams pass through a watertight deck or bulkhead, such deck or bulkhead shall be made structurally watertight without the use of wood or cement.

(3.) Testing main compartments by filling them with water is not compulsory. A complete examination of the bulkheads shall be made by a surveyor; and, in addition, a hose test shall be made in all cases.

(4.) The forepeak shall be tested with water to a head up to the deepest subdivision loadline.

(5.) Double bottoms, including duct keels, and inner skins are to be subjected to a head of water up to the margin line.

(6.) Tanks which are intended to hold liquids, and which form part of the subdivision of the ship, shall be tested for tightness with water to a head up to the deepest subdivision loadline or to a head corresponding to two-thirds of the depth from the top of keel to the margin line in way of the tanks, whichever is the greater; provided that in no case shall the test head be less than 3 feet (.92 metre) above the top of the tank.

(2.) Le franc-bord correspondant à chacune de ces lignes de charge, inscrit au Certificat de Sécurité doit être mesuré au même emplacement et à partir de la même ligne de pont que les francs-bords déterminés conformément aux Règles nationales de franc-bord reconnues.

(3.) Dans aucun cas, une marque de ligne de charge de compartimentage ne peut être placée au-dessus de la ligne de charge maximum en eau salée déterminée par la solidité du navire et ou par les tables nationales de franc-bord reconnues.

(4.) Quelle que soit la position des marques de lignes de charge de compartimentage, un navire ne doit jamais être chargé de façon à immerger la ligne de charge correspondant à la saison et à la région du globe, tracée conformément aux Règles nationales de franc-bord reconnues.

RÈGLE VIII.

Construction et Épreuves initiales des Cloisons étanches, Doubles-fonds, &c.

(1.) Les cloisons étanches de compartimentage, qu'elles soient transversales ou longitudinales, doivent être construites de manière à pouvoir supporter, avec une marge de résistance convenable, la pression due à une colonne d'eau s'élevant, jusqu'à la ligne de surimmersion par le travers de chacune d'elles. La construction de ces cloisons doit donner satisfaction à l'Administration.

(2.) Les baïonnettes et niches pratiquées dans les cloisons doivent être étanches et présenter la même résistance que les parties avoisinantes de la cloison.

Quand des membrures ou des barrots traversent un pont étanche ou une cloison étanche, ce pont et cette cloison doivent être rendus étanches par leur construction même, sans l'emploi de bois ou de ciment.

(3.) L'essai par remplissage des compartiments principaux n'est pas obligatoire. Un examen complet des cloisons doit être fait par un inspecteur agréé; cet examen doit être complété dans tous les cas par un essai à la lance.

(4.) Le coqueron avant doit être soumis à un essai par remplissage, le niveau de l'eau s'élevant jusqu'à la ligne de charge maximum de compartimentage.

(5.) Les doubles-fonds y compris les quilles tubulaires et les parois internes des doubles coques doivent être essayés sous une charge d'eau montant jusqu'à la ligne de surimmersion.

(6.) Les citernes qui doivent contenir des liquides et qui forment une partie du compartimentage du navire doivent être éprouvées pour vérification de l'étanchéité sous une charge d'eau correspondant soit à la ligne de charge maximum de compartimentage, soit aux deux tiers du creux mesuré depuis le dessus de la quille jusqu'à la ligne de surimmersion, par le travers de la citerne en prenant la plus grande de ces charges, toutefois la hauteur de charge au-dessus du plafond ne doit être en aucun cas inférieure à 0m. 92 (3 pieds).

REGULATION IX.

Openings in Watertight Bulkheads.

Openings in watertight bulkheads

(1.) The number of openings in watertight bulkheads shall be reduced to the minimum compatible with the design and proper working of the ship; satisfactory means shall be provided for closing these openings.

(2.)—(a.) Where pipes, scuppers, electric-light cables, &c., are carried through watertight subdivision bulkheads, arrangements shall be made to ensure the integrity of the watertightness of the bulkheads.

(b.) Sluice valves shall not be permitted in the watertight subdivision bulkheads.

(3.)—(a.) No doors, manholes, or access openings are permitted—

(i) in the collision bulkhead below the margin line;

(ii) in watertight transverse bulkheads dividing a cargo space from an adjoining cargo space or from a permanent or reserve bunker, except as provided in paragraph (7).

(b.) The collision bulkhead may be pierced below the margin line by not more than one pipe for dealing with fluid in the fore peak tank, provided that the pipe is fitted with a screwdown valve capable of being operated from above the bulkhead deck, the valve chest being secured inside the fore peak to the collision bulkhead.

(4.)—(a.) Watertight doors fitted in bulkheads between permanent and reserve bunkers, shall be always accessible, except as provided in sub-paragraph 9 (b) for between deck bunker doors.

(b.) Satisfactory arrangements shall be made by means of screens or otherwise, to prevent the coal from interfering with the closing of watertight bunker doors.

(5.) Within the machinery space and apart from bunker and shaft tunnel doors, not more than one door may be fitted in each main transverse bulkhead for inter-communication. These doors shall be located so as to have the sills as high as practicable.

(6.)—(a.) The only types of watertight doors permissible are hinged doors, sliding doors, and doors of other equivalent patterns, excluding plate doors secured only by bolts.

(b.) A hinged door shall be fitted with catches workable from each side of the bulkhead.

(c.) A sliding door may have a horizontal or vertical motion. If required to be hand operated only, the gearing shall be capable of being worked at the door itself and also at an accessible position above the bulkhead deck.

RÈGLE IX.

Ouvertures dans les Cloisons étanches.

(1.) Le nombre des ouvertures pratiquées dans les cloisons étanches doit être réduit au minimum compatible avec les dispositions générales et la bonne exploitation du navire; ces ouvertures doivent être pourvues de dispositifs de fermeture satisfaisants.

(2.)—(a.) Si des tuyautages, dalots, câbles électriques, &c., traversent des cloisons étanches de compartimentage, des dispositions doivent être prises pour maintenir l'intégrité de l'étanchéité de ces cloisons.

(b.) Il n'est pas permis de munir les cloisons étanches de compartimentage de vannes à glissières.

(3.)—(a.) Il ne peut exister ni porte, ni trou d'homme, ni aucun orifice d'accès:

(i) dans la cloison étanche d'abordage, au-dessous de la ligne de surimmersion;

(ii) dans les cloisons transversales étanches séparant un local à marchandises d'un local à marchandises contigu ou d'une soute à charbon permanente ou de réserve, sauf exceptions spécifiées au paragraphe (7) ci-après.

(b.) On peut faire traverser la cloison d'abordage au-dessous de la ligne de surimmersion par un tuyau au plus pour le service du liquide contenu dans le coqueron avant, pourvu que ce tuyau soit muni d'une vanne à fermeture à vis, commandée d'un point au-dessus du pont de compartimentage et dont le corps sera fixé à la cloison d'abordage à l'intérieur du coqueron avant.

(4.)—(a.) Les portes étanches dans les cloisons séparant les soutes permanentes des soutes de réserve doivent être toujours accessibles, sauf toutefois l'exception prévue à l'alinéa 9 (b) pour les portes des soutes d'entrepont.

(b.) Des dispositions satisfaisantes, au moyen d'écrans ou autrement, doivent être prises pour éviter que le charbon n'empêche la fermeture des portes étanches des soutes à charbon.

(5.) Dans la tranche des machines, exclusion faite des portes des soutes à charbon et des tunnels de lignes d'arbres, il ne peut exister qu'une porte de communication dans chaque cloison transversale principale. Ces portes doivent être placées de manière que leurs seuils soient pratiquement aussi hauts que possible.

(6.)—(a.) Ne sont admises comme portes étanches que les portes à charnières et les portes à glissières ou toutes autres d'un type équivalent, à l'exclusion des portes montées simplement sur boulons.

(b.) Les portes à charnières doivent être pourvues de loquets commandés par des leviers manœuvrables de chaque côté de la cloison.

(c.) Les portes à glissières peuvent être à déplacement vertical ou horizontal. Si elles doivent être seulement commandées à bras, le mécanisme doit pouvoir être actionné sur place et en outre d'un point accessible situé au-dessus du pont de cloisonnement.

(d.) If a door is required to be closed by dropping or by the action of a dropping weight, it shall be fitted with a suitable arrangement to regulate the closing movement, and the gearing shall be so arranged that the door can be released both at the door itself and at an accessible position above the bulkhead deck. Hand gear shall also be provided, so arranged as to operate at the door itself and above the bulkhead deck, and also, so that after being disengaged for dropping, it can be quickly re-engaged from either the upper or the lower position.

(e.) If a door is required to be power operated from a central control, the gearing shall be so arranged that the door can be operated by power also at the door itself. The arrangements shall be such that the door will close automatically if opened by the local control after being closed from the central control, and also such that any door can be kept closed by local arrangements, which will prevent that door from being opened from the central control. Such power operated doors shall be provided with hand gear, workable both at the door itself and from an accessible position above the bulkhead deck.

(f.) In all classes of doors indicators shall be fitted at all operating stations other than at the door itself, showing whether the door is opened or closed.

(7.)—(a.) Hinged watertight doors in passenger, crew, and working spaces are only permitted above a deck, the underside of which, at its lowest point at side, is at least 7 feet (2.13 metres) above the deepest subdivision loadline, and they are not permitted in those spaces below such deck.

(b.) Hinged watertight doors of satisfactory construction may be fitted in bulkheads dividing cargo between deck spaces, in levels in which side cargo doors would be permitted under the provisions of Regulation X (11). These doors shall be closed before the voyage commences and shall be kept closed during the voyage, and the time of opening such doors in port and of closing them before the ship leaves port shall be entered in the official log book. Where it is proposed to fit such doors, the number and arrangements shall receive the special consideration of the Administration, and a statement shall be required from the owners certifying as to the absolute necessity of such doors.

(8.) All other watertight doors shall be sliding doors.

(9.)—(a.) When any watertight doors which may be sometimes opened at sea, excluding those at the entrances of tunnels, are fitted in the main transverse watertight bulkheads at such a height that

(d.) Les portes, qui doivent être fermées par leur poids ou par la chute d'un poids, doivent être pourvues d'un dispositif convenable pour régulariser leur fermeture; le mécanisme doit permettre de libérer la porte sur place et en outre d'un point accessible situé au-dessus du pont de cloisonnement. Une commande à main doit être également installée pour permettre de manœuvrer la porte sur place et d'un point situé au-dessus du pont de cloisonnement; enfin, le mécanisme de la porte doit, quand il a été débrayé pour libérer cette porte, pouvoir être embrayé rapidement de l'un ou de l'autre des postes de manœuvre.

(e.) Lorsqu'il est prévu qu'une porte doit être fermée au moyen d'une source d'énergie, d'un poste central de manœuvre, le mécanisme doit être disposé de manière à permettre la commande de la porte sur place au moyen de la même source d'énergie. La porte devra se refermer automatiquement si, après avoir été fermée du poste de commande central, elle est ouverte sur place. De même, il doit exister sur place un moyen de la maintenir fermée sans qu'elle puisse être ouverte par le poste de commande central. Enfin, toute porte manœuvrée au moyen d'une source d'énergie doit être pourvue d'une commande à main, manœuvrable sur place et d'un point accessible au-dessus du pont de cloisonnement.

(f.) Les portes de toutes catégories doivent être munies d'indicateurs d'ouverture, permettant de vérifier de tous les postes de commande, autres que sur place, si la porte est ouverte ou fermée.

(7.)—(a.) Des portes étanches à charnières peuvent être admises dans les parties du navire affectées aux passagers et à l'équipage, ainsi que dans les locaux de service, à condition qu'elles soient établies au-dessus d'un pont dont la surface inférieure a son point le plus bas en abord, se trouve au moins à 2.13 mètres (7 pieds) au-dessus de la ligne de charge maximum de compartimentage; ces portes ne sont pas autorisées dans ces parties et locaux du navire au-dessous d'un tel pont.

(b.) Des portes étanches à charnières de construction satisfaisante peuvent être admises dans les cloisons d'entrepont séparant deux locaux à marchandises, à la hauteur qui est permise pour les portes de charge sur le bordé conformément aux prescriptions de la Règle X (11). Ces portes doivent être fermées avant le départ et tenues fermées pendant tout le voyage; l'heure de leur ouverture à l'arrivée au port et de leur fermeture avant le départ du port doivent être inscrites dans le journal de bord réglementaire. Lorsqu'il est proposé d'installer des portes de cette nature, leur nombre et le détail de leurs dispositions font l'objet d'un examen spécial par l'Administration. Celle-ci exige des armateurs une attestation que cette installation est une nécessité de service absolue.

(8.) Toutes les autres portes étanches doivent être à glissières.

(9.)—(a.) Lorsqu'il existe des portes étanches devant être à certains moments ouvertes à la mer, exception faite de celles des entrées des tunnels et que ces portes sont placées dans les cloisons étanches

their sills are below the deepest subdivision loadline, the following rules shall apply:—

(I.) When the number of such doors exceeds 5 all the watertight sliding doors shall be power operated and shall be capable of being simultaneously closed from a station situated on the bridge, simultaneous closing of these doors being preceded by a warning sound signal.

(II.) When the number of such doors does not exceed 5—

- (i) if the criterion numeral does not exceed 30, all the watertight sliding doors may be operated by hand only;
- (ii) if the criterion numeral exceeds 30, but does not exceed 60, all the watertight sliding doors may be either dropping doors fitted with releasing and hand gear operated at the door and from above the bulkhead deck or doors operated by power.
- (iii) if the criterion numeral exceeds 60, all the watertight sliding doors shall be operated by power.

(b.) If watertight doors which have sometimes to be open at sea for the purpose of trimming coal are fitted between bunkers in the between-decks below the bulkhead deck, these doors shall be operated by power. The opening and closing of these doors shall be recorded in the official log book.

(c.) When trunkways in connection with refrigerated cargo are carried through more than one main transverse watertight bulkhead, and the sills of the openings are less than 7 feet (2·13 metres) above the deepest subdivision loadline, the watertight doors at such openings shall be operated by power.

(10.) Portable plates on bulkheads shall not be permitted except in machinery spaces. Such plates shall always be in place before the ship leaves port, and shall not be removed at sea except in case of urgent necessity. The necessary precautions shall be taken in replacing them to ensure that the joints shall be watertight.

(11.) All watertight doors shall be kept closed during navigation except when necessarily opened for the working of the ship, and shall always be ready to be immediately closed.

(12.) Where trunkways or tunnels for access from crew's accommodation to the stokehold, for piping, or for any other purpose are carried through main transverse watertight bulkheads, they shall be watertight and in accordance with the requirements of Regulation XII. The access to at least one end of each such tunnel or trunkway, if used as a passage at sea, shall be through a trunk extending watertight to a height sufficient to permit access above the margin line. The access to the other end of the trunkway or tunnel may be through

transversales principales de façon que leur seuil soit au-dessous de la ligne de charge maximum de compartimentage, les règles suivantes sont appliquées:

(I.) Si le nombre de ces portes excède 5, toutes les portes étanches à glissières doivent être manœuvrées au moyen d'une source d'énergie et pouvoir être fermées simultanément d'un poste de manœuvre situé sur la passerelle, la fermeture simultanée de ces portes étant précédée d'un signal sonore.

(II.) Si le nombre de ces portes n'excède pas 5:

- (i) si le critérium n'excède pas 30, toutes les portes étanches à glissières peuvent être manœuvrées à la main seulement;
- (ii) si le critérium excède 30, sans dépasser 60, toutes les portes étanches à glissières peuvent être soit des portes se fermant par gravité munies d'un déclic et d'une manœuvre à bras pouvant être actionnées aussi bien sur place que d'un point au-dessus du pont de cloisonnement, soit des portes manœuvrées au moyen d'une source d'énergie;
- (iii) si le critérium numérique excède 60, toutes les portes étanches à glissières doivent être manœuvrées au moyen d'une source d'énergie.

(b.) S'il existe, entre des soutes à charbon dans les entreponts au-dessous du pont de cloisonnement des portes étanches qui doivent, à la mer, être occasionnellement ouvertes pour la manipulation du charbon, l'emploi d'une source d'énergie est exigé pour la manœuvre de ces portes. L'ouverture et la fermeture doivent être mentionnées au journal de bord.

(c.) L'emploi d'une source d'énergie est également exigé pour la manœuvre des portes établies au passage des conduits des cales frigorifiques, si ces conduits traversent plus d'une cloison transversale principale étanche, et si les seuils de ces portes sont situés à moins de 2,13 mètres (7 pieds) au-dessus de la ligne de charge maximum de compartimentage.

(10.) L'emploi de panneaux démontables en tôle n'est toléré que dans la tranche des machines. Ces panneaux doivent toujours être en place avant l'appareillage; ils ne peuvent être enlevés à la mer, si ce n'est en cas d'impérieuse nécessité. Les précautions nécessaires doivent être prises au remontage pour rétablir la parfaite étanchéité du joint.

(11.) Toutes les portes étanches doivent être fermées en cours de navigation ou n'être ouvertes que lorsque le service du navire l'exige. Dans ce cas, elles doivent toujours être prêtes à être immédiatement fermées.

(12.) Si des tambours ou tunnels reliant les logements du personnel aux chaufferies ou disposés pour renfermer des tuyautages ou pour tout autre but sont ménagés à travers les cloisons transversales étanches principales, ces tambours ou tunnels doivent être étanches et satisfaire aux prescriptions de la Règle XII. L'accès à l'une au moins des extrémités de ces tunnels ou tambours, si on s'en sert comme passage à la mer, doit être réalisé par un puits étanche d'une hauteur suffisante pour que son débouché soit au-dessus de la ligne

a watertight door of the type required by its location in the ship. Such trunkways or tunnels shall not extend through the first subdivision bulkhead abaft the collision bulkhead.

Where it is proposed to fit tunnels or trunkways for forced draft, piercing main transverse watertight bulkheads, these shall receive the special consideration of the Administration.

REGULATION X.

Openings in Ship's Sides below the Margin Line.

Openings in ship's
sides below margin
line

(1.) The arrangement and efficiency of the means for closing any opening in the ship's sides shall be consistent with its intended purpose and the position in which it is fitted and generally to the satisfaction of the Administration.

(2.)—(a.) If in a between decks, the sills of any sidescuttles are below a line drawn parallel to the bulkhead deck at side and having its lowest point $2\frac{1}{2}$ per cent. of the breadth of the ship above the deepest subdivision loadline, all sidescuttles in that between deck shall be of a non-opening type.

(b.) If in a between decks, the sills of any sidescuttles other than those required to be of a non-opening type by sub-paragraph (a) are below a line drawn parallel to the bulkhead deck at side and having its lowest point at a height of 12 feet (3.66 metres) plus $2\frac{1}{2}$ per cent. of the breadth of the ship above the deepest subdivision loadline, all sidescuttles in that between decks shall be of such construction as will effectively prevent any person opening them without the consent of the master of the ship.

(c.) Other sidescuttles may be of an ordinary opening type.

(d.) If in a between decks, the sills of any of the sidescuttles referred to in sub-paragraph (b) are below a line drawn parallel to the bulkhead deck at side and having its lowest point $4\frac{1}{2}$ feet (1.37 metres), plus $2\frac{1}{2}$ per cent. of the breadth of the ship above the loadline at which the ship is floating on her departure from any port, all the sidescuttles in that between decks shall be closed watertight and locked before the ship leaves port and they shall not be opened during navigation.

The time of opening such sidescuttles in port and of closing and locking them before the ship leaves port shall be entered in the official log book.

The Administration may indicate the limiting mean draught at which these sidescuttles will have their sills above the line defined in this paragraph and at which it will be permissible to open them at sea on the responsibility of the master. In tropical waters in fair weather this limiting draught may be increased by 1 foot (.305 metres).

de surimmersion. L'accès à l'autre extrémité peut se faire par une porte étanche du type exigé par son emplacement dans le navire. Aucun de ces tunnels ou tambours ne doit traverser la cloison de compartimentage immédiatement en arrière de la cloison d'abordage.

Lorsqu'il est prévu des tunnels ou tambours pour tirage forcé, traversant les cloisons étanches transversales principales, le cas doit être spécialement examiné par l'Administration.

RÈGLE X.

Ouverture dans la Muraille extérieure au-dessous de la Ligne de surimmersion.

(1.) La disposition et l'efficacité des moyens de fermeture de toutes les ouvertures pratiquées dans la muraille extérieure du navire doivent correspondre au but à réaliser et à l'emplacement où ils sont fixés; ils doivent d'une manière générale être à la satisfaction de l'Administration.

(2.)—(a.) Si, dans un entrepont, le bord inférieur de l'ouverture d'un hublot quelconque est au-dessous d'une ligne tracée sur la muraille parallèlement au livet du pont de cloisonnement et ayant son point le plus bas à $2\frac{1}{2}$ pour cent de la largeur du navire au-dessus de la ligne de charge maximum de compartimentage, tous les hublots de cet entrepont doivent être des hublots fixes.

(b.) Si, dans un entrepont, le bord inférieur de l'ouverture d'un hublot quelconque autre que ceux qui doivent être fixes, aux termes de l'alinéa (a) ci-dessus, est au-dessous d'une ligne tracée parallèlement au livet du pont de cloisonnement et ayant son point le plus bas à 3 mètres 66 (12 pieds) plus $2\frac{1}{2}$ pour cent de la largeur du navire, au-dessus de la ligne de charge maximum de compartimentage, tous les hublots de cet entrepont seront construits de telle sorte que personne ne puisse les ouvrir sans l'autorisation du Capitaine du navire.

(c.) Tous les autres hublots peuvent être du type ouvrant ordinaire.

(d.) Si, dans un entrepont, le bord inférieur de l'ouverture d'un quelconque des hublots visés au alinéa (b) ci-dessus, est au-dessous d'une ligne tracée parallèlement au livet du pont de cloisonnement et ayant son point le plus bas à 1 mètre 37 ($4\frac{1}{2}$ pieds) plus $2\frac{1}{2}$ pour cent de la largeur du navire au-dessus de la flottaison du navire, à son départ du port, tous les hublots de cet entrepont sont fermés d'une façon étanche et à clef avant que le navire ne sorte du port, et ne doivent pas être ouverts en cours de navigation.

Les heures d'ouverture de ces hublots dans le port et de leur fermeture à clef avant le départ seront inscrites au journal de bord réglementaire.

L'Administration peut préciser le tirant d'eau milieu maximum auquel les hublots en question ont le bord inférieur de leur ouverture au-dessus de la ligne définie dans le présent paragraphe et auquel, par suite, il sera permis de les ouvrir à la mer sous la responsabilité du Capitaine. Dans les mers tropicales, par beau temps, ce tirant d'eau peut être augmenté de 305 millimètres (1 pied).

(3.) Efficient hinged inside deadlights arranged so that they can be easily and effectively closed and secured watertight shall be fitted to all sidescuttles—

- (a) which are required to be of a non-opening type;
- (b) which are to be fitted within one-eighth of the ship's length of the forward perpendicular;
- (c) which are to be fitted in positions defined in sub-paragraph (2) (b);
- (d) which will not be accessible during navigation;
- (e) which are to be fitted in spaces intended for the accommodation of sailors and firemen;
- (f) which are to be fitted in spaces intended for the accommodation of steerage passengers.

(4.) Sidescuttles fitted below the bulkhead deck, other than those referred to in the preceding paragraph, shall be fitted with efficient inside deadlights which may be portable and stowed adjacent to the sidescuttles.

(5.) Sidescuttles and their deadlights, which will not be accessible during navigation, shall be closed and secured before the ship proceeds to sea.

(6.) No sidescuttles shall be fitted in any spaces which are appropriated exclusively to the carriage of cargo or coal.

(7.) Automatic ventilating sidescuttles shall not be fitted in the ship's sides below the margin line without the special sanction of the Administration.

(8.) All machinery and other inlets and discharges in the ship's sides shall be arranged so as to prevent the accidental admission of water into the ship.

(9.) The number of scuppers, sanitary discharges and other similar openings in the ship's sides shall be reduced to the minimum either by making each discharge serve for as many as possible of the sanitary and other pipes, or in any other satisfactory manner.

(10.) Discharges led through the ship's sides from spaces below the margin line shall be fitted with efficient and accessible means for preventing water from passing inboard. It is permissible to have for each separate discharge either one automatic non-return valve fitted with a positive means of closing it from above the bulkhead deck, or, alternatively, two automatic non-return valves without such means, the upper of which valves is so situated above the deepest subdivision loadline as to be always accessible for examination under service conditions.

Where a positive action valve is fitted, the operating position above the bulkhead deck shall always be readily accessible and means shall be provided for indicating whether the valve is open or closed.

(11.) Gangway, cargo and coaling ports fitted below the margin line shall be of sufficient strength. They shall be effectively closed

(3.) Des tapes à charnières, d'un modèle efficace et disposées de manière à pouvoir être réellement fermées et rendues étanches, doivent être installées sur tous les hublots:

- (a) qui doivent réglementairement être fixes;
- (b) qui sont situés sur un huitième de la longueur du navire à partir de la perpendiculaire avant;
- (c) qui occupent les positions définies à l'alinéa (2) (b) ci-dessus;
- (d) qui ne sont pas accessibles en cours de navigation;
- (e) qui sont situés dans des locaux destinés au logement des matelots ou des chauffeurs;
- (f) qui sont situés dans des espaces destinés au logement des passagers d'entrepont.

(4.) Les hublots placés sous le pont de cloisonnement, autres que ceux visés au paragraphe précédent, doivent être pourvus de tapes intérieures efficaces; celles-ci peuvent être amovibles et être déposées à proximité des hublots.

(5.) Les hublots et leurs tapes qui ne sont pas accessibles en cours de navigation doivent être fermés et condamnés avant l'appareillage.

(6.) Aucun hublot ne peut être établi dans les locaux affectés exclusivement au transport de marchandises ou de charbon.

(7.) Aucun hublot à ventilation automatique ne peut être établi dans la muraille du navire au-dessous de la ligne de surimmersion, sans une autorisation spéciale de l'Administration.

(8.) Toutes les prises d'eau et décharges dans la muraille doivent être disposées de façon à empêcher toute introduction accidentelle d'eau dans le navire.

(9.) Le nombre des dalots, tuyaux de décharge sanitaires et autres ouvertures similaires dans la muraille, doit être réduit au minimum, soit en utilisant chaque orifice de décharge, pour le plus grand nombre possible de tuyaux sanitaires ou autres, soit de toute autre manière satisfaisante.

(10.) Les décharges à la coque, dont l'orifice inférieur se trouve au-dessous de la ligne de surimmersion, doivent être munies de dispositifs efficaces et accessibles empêchant l'eau de s'introduire dans le navire. On peut, pour chaque décharge séparée, employer soit une soupape automatique de non-retour, pourvu d'un moyen de fermeture direct, manœuvrable d'un point situé au-dessus du pont de cloisonnement, soit, à volonté, deux soupapes automatiques de non-retour sans moyen de fermeture direct, pourvu que la plus élevée soit placée de telle sorte au-dessus de la ligne de charge maximum de compartimentage qu'elle soit toujours accessible pour être visitée dans les circonstances normales du service.

Lorsqu'on emploie des valves à commande de fermeture directe, les postes de manœuvre au-dessus du pont de cloisonnement doivent toujours être facilement accessibles et ils doivent comporter des indicateurs d'ouverture et de fermeture.

(11.) Les coupées, portes de chargement et sabords à charbon situés au-dessous de la ligne de surimmersion doivent être de résis-

and secured watertight before the ship leaves port, and shall be kept closed during navigation.

Cargo and coaling ports which are to be fitted partly or entirely below the deepest subdivision loadline shall receive the special consideration of the Administration.

(12.) The inboard opening of each ash-shoot, rubbish-shoot, &c., shall be fitted with an efficient cover.

If the inboard opening is situated below the margin line, the cover shall be watertight, and in addition an automatic non-return valve shall be fitted in the shoot in an easily accessible position above the deepest subdivision loadline. When the shoot is not in use both the cover and the valve shall be kept closed and secured.

REGULATION XI.

Watertight doors,
sidescuttles, etc

Construction and Initial Tests of Watertight Doors, Sidescuttles, &c.

Construction and
initial tests

(1.) The design, materials and construction of all watertight doors, sidescuttles, gangway, cargo and coaling ports, valves, pipes, ash-shoots and rubbish-shoots referred to in these Regulations shall be to the satisfaction of the Administration.

(2.) Each watertight door shall be tested by water pressure to a head up to the margin line. The test shall be made before the ship is put in service, either before or after the door is fitted.

REGULATION XII.

Watertight decks,
trunks, etc

Construction and Initial Tests of Watertight Decks, Trunks, &c.

Construction and
initial tests

(1.) Watertight decks, trunks, tunnels, duct keels and ventilators shall be of the same strength as watertight bulkheads at corresponding levels. The means used for making them watertight, and the arrangements adopted for closing openings in them, shall be to the satisfaction of the Administration. Watertight ventilators and trunks shall be carried at least up to the margin line.

(2.) After completion a hose or flooding test shall be applied to watertight decks and a hose test to watertight trunks, tunnels and ventilators.

REGULATION XIII.

Watertight doors,
etc

Periodical Operation and Inspection of Watertight Doors, &c.

Periodical operation
and inspection

In all new and existing ships drills for the operating of watertight doors, sidescuttles, valves, and closing mechanisms of scuppers, ash-shoots and rubbish-shoots, shall take place weekly. In ships in which the voyage exceeds one week in duration a complete drill

tance suffisante. Ils doivent être efficacement fermés et assujettis avant l'appareillage et rester fermés pendant la navigation.

Les portes de chargement et sabords à charbon qui sont situés partiellement ou entièrement au-dessous de la ligne de charge maximum de compartimentage doivent faire l'objet d'un examen spécial de l'Administration.

(12.) Les ouvertures intérieures des manches à escarbilles, manches à saletés, &c., doivent être pourvues d'un couvercle efficace.

Si ces ouvertures sont situées au-dessous de la ligne de surimmersion, le couvercle doit être étanche et on doit, en outre, installer dans la manche un clapet de non-retour, placé dans un endroit accessible, au-dessus de la ligne de charge maximum de compartimentage. Quand on ne se servira pas de la manche, le couvercle et le clapet doivent être fermés et assujettis en place.

RÈGLE XI.

Construction et Épreuves initiales des Portes étanches, Hublots, &c.

(1.) Le tracé, les matériaux utilisés et la construction des portes étanches, hublots, coupées, sabords à charbon, portes de chargement, soupapes, tuyaux, manches à escarbilles et à saletés visés dans le présent Règlement doivent être à la satisfaction de l'Administration.

(2.) Toute porte étanche doit être soumise à un essai à l'eau sous une pression correspondant à la hauteur d'eau jusqu'à la ligne de surimmersion. Cet essai doit être fait avant l'entrée en service du navire, soit avant, soit après mise en place de la porte à bord.

RÈGLE XII.

Construction et Épreuves initiales des Ponts étanches, Tambours, &c.

(1.) Lorsqu'ils sont étanches, les ponts, tambours, tunnels, quilles tubulaires, et conduits d'air doivent présenter une résistance égale à celle des parties correspondantes des cloisons étanches. Les procédés employés pour assurer l'étanchéité de ces éléments, ainsi que les dispositifs adoptés pour la fermeture des ouvertures, doivent être à la satisfaction de l'Administration. Les conduits d'air et les tambours étanches doivent s'élever au moins jusqu'au niveau de la ligne de surimmersion.

(2.) Lorsqu'ils sont étanches, les ponts, tambours, tunnels et conduits d'air doivent être soumis à une épreuve d'étanchéité à la lance après leur construction; l'essai des ponts peut être effectué en les couvrant d'eau.

RÈGLE XIII.

Manœuvres et Inspections périodiques des Portes étanches, &c.

Sur tout navire neuf ou existant, il doit être procédé hebdomadairement, à des exercices de manœuvre des organes de fermeture étanche des portes, hublots, dalots, soupapes, manches à escarbilles et à saletés. Sur les navires effectuant des voyages dont la durée excède

shall be held before leaving port, and others thereafter at least once a week during the voyage, provided that all watertight power doors and hinged doors, in main transverse bulkheads, in use at sea shall be operated daily.

The watertight doors and all mechanisms and indicators connected therewith, and all valves the closing of which is necessary to make a compartment watertight, shall be periodically inspected at sea, at least once a week.

REGULATION XIV.

Official log book.

Entries in the Official Log Book.

Entries to be made.

In all new and existing ships hinged doors, portable plates, side-scuttles, gangway, cargo and coaling ports and other openings, which are required by these Regulations to be kept closed during navigation, shall be closed before the ship leaves port. The time of closing, and the time of opening (if permissible under these Regulations), shall be recorded in the official log book.

Drills and inspections.

A record of all drills and inspections required by Regulation XIII shall be entered in the official log book with an explicit record of any defects which may be disclosed.

REGULATION XV.

Double Bottoms.

Double bottoms.

(1.) In ships 200 feet (61 metres) and under 249 feet (76 metres) in length a double bottom shall be fitted at least from the machinery space to the fore peak bulkhead, or as near thereto as practicable.

(2.) In ships 249 feet (76 metres) and under 330 feet (100 metres) in length a double bottom shall be fitted at least outside the machinery space, and shall extend to the fore and after peak bulkheads, or as near thereto as practicable.

(3.) In ships 330 feet (100 metres) in length and upwards a double bottom shall be fitted amidships, and shall extend to the fore and after peak bulkheads, or as near thereto as practicable.

(4.) Where a double bottom is required to be fitted the inner bottom shall be continued out to the ship's sides in such a manner as to protect the bottom to the turn of bilge.

Such protection will be deemed satisfactory if the line of intersection of the outer edge of the margin plate with the bilge plating is not lower

une semaine, un exercice complet doit avoir lieu avant l'appareillage, et d'autres ensuite pendant la navigation, à raison d'un au moins par semaine; toutefois, les portes dont la manœuvre comporte l'emploi d'une source d'énergie et les portes à charnières des cloisons transversales principales doivent être manœuvrées quotidiennement, lorsqu'elles sont utilisées à la mer.

Les portes étanches, y compris les mécanismes et les indicateurs qui s'y rapportent, ainsi que les soupapes dont la fermeture est nécessaire pour assurer l'étanchéité d'un compartiment, doivent être périodiquement inspectées à la mer, à raison d'une fois au moins par semaine.

RÈGLE XIV.

Mentions au Journal de bord réglementaire.

Sur tout navire neuf ou existant, les portes à charnières, panneaux démontables, hublots, coupées, portes de chargement, sabords à charbon et autres ouvertures, qui doivent rester fermées pendant la navigation, en application des prescriptions précédentes, doivent être fermés avant l'appareillage. Mention doit être faite au journal de bord réglementaire des heures de fermeture de tous ces organes et des heures auxquelles auront été ouverts ceux dont le présent Règlement permet l'ouverture.

Mention de tous les exercices et toutes les inspections prescrits par la Règle XIII ci-dessus doit être faite au journal de bord réglementaire; toute défectuosité constatée y est explicitement notée.

RÈGLE XV.

Doubles-fonds.

(1.) Les navires dont la longueur est au moins égale à 61 mètres (200 pieds) et inférieure à 76 mètres (249 pieds) doivent être pourvus d'un double-fond s'étendant au moins depuis l'avant de la tranche des machines jusqu'à la cloison du coqueron avant ou aussi près que possible pratiquement de cette cloison.

(2.) Les navires dont la longueur est au moins égale à 76 mètres (249 pieds) et inférieure à 100 mètres (330 pieds) doivent être pourvus de doubles-fonds au moins en dehors de la tranche des machines. Ces doubles-fonds doivent s'étendre jusqu'aux cloisons des coquerons avant et arrière ou aussi près que possible pratiquement de ces cloisons.

(3.) Les navires dont la longueur est égale ou supérieure à 100 mètres (330 pieds) doivent être pourvus au milieu d'un double-fond s'étendant jusqu'aux cloisons des coquerons avant et arrière ou aussi près que possible pratiquement de ces cloisons.

(4.) Là où un double-fond est exigé, il doit se prolonger en abord vers la muraille de manière à protéger efficacement les bouchains.

Cette protection sera considérée comme satisfaisante si aucun point de la ligne d'intersection de l'arête extérieure de la tôle de côté avec

at any part than a horizontal plane passing through the point of intersection with the frame line amidships of a transverse diagonal line inclined at 25 degrees to the base line and cutting it at a point one-half the ship's moulded breadth from the middle line.

(5.) Wells constructed in the double bottom in connection with the drainage arrangements shall not extend downwards more than necessary, nor shall they be less than 18 inches (457 millimetres) from the outer bottom or from the inner edge of the margin plate. A well extending to the outer bottom is, however, permitted at the after end of the shaft tunnel of screw ships.

REGULATION XVI.

Fire-resisting Bulkheads.

Fire-resisting bulkheads

Ships shall be fitted above the bulkhead deck with fire-resisting bulkheads which shall be continuous from side to side of the ship and arranged to the satisfaction of the Administration.

They shall be constructed of metal or other fire-resisting material, effective to prevent for one hour, under the conditions for which the bulkheads are to be fitted in the ship, the spread of fire generating a temperature of 1,500° F. (815° C.) at the bulkhead.

Steps and recesses and the means for closing all openings in these bulkheads shall be fire-resisting and flametight.

The mean distance between any two adjacent fire-resisting bulkheads in any superstructure shall in general not exceed 131 feet (40 metres).

REGULATION XVII.

Side and other openings, etc

Side and other Openings, &c., above the Margin Line.

Design, construction, etc.

(1.) Sidescuttles, gangway, cargo and coaling ports, and other means for closing openings in the ship's sides above the margin line shall be of efficient design and construction and of sufficient strength having regard to the spaces in which they are fitted and their positions relative to the deepest subdivision loadline.

(2.) The bulkhead deck or a deck above it shall be weathertight in the sense that in ordinary sea conditions water will not penetrate in a downward direction. All openings in the exposed weather deck shall have coamings of ample height and strength, and shall be provided with efficient means for expeditiously closing them weathertight.

(3.) Freeing ports and/or scuppers shall be fitted as necessary for rapidly clearing the weather deck of water under all weather conditions.

le borde extérieur ne vient au-dessous d'un plan horizontal passant par le point du tracé hors membres où le couple milieu est coupé par une diagonale inclinée à 25° sur l'horizontale et menée par le sommet inférieur externe du rectangle circonscrit à la maîtresse section.

(5.) Les puisards établis dans les doubles-fonds pour recevoir les aspirations des pompes ne doivent pas être plus profonds qu'il n'est nécessaire et, en tous les cas, ils ne doivent pas être à moins de 457 millimètres (18 pouces) du bordé extérieur ou du bord intérieur de la tôle de côté. Des puisards allant jusqu'au bordé peuvent cependant être admis à l'extrémité arrière des tunnels d'arbres des navires à hélice.

RÈGLE XVI.

Cloisons contre l'Incendie.

Les navires doivent avoir, au-dessus du pont de cloisonnement, des cloisons contre l'incendie, s'étendant sans discontinuité d'un bord à l'autre et disposées à la satisfaction de l'Administration.

Elles doivent être construites en métal ou toute autre substance résistant au feu, et efficaces pour empêcher pendant une heure, dans les conditions pour lesquelles l'installation de ces cloisons est prévue, la propagation d'un incendie développant au voisinage de la cloison une température de 815° C. (1500° F.).

Les niches, baïonnettes et tous les dispositifs fermant les ouvertures pratiquées dans ces cloisons seront à l'épreuve du feu et étanches aux flammes.

La distance moyenne de deux cloisons contre l'incendie adjacentes, dans une superstructure quelconque, doit être en général au plus égale à 40 mètres (131 pieds).

RÈGLE XVII.

Hublots et autres Ouvertures, &c., au-dessus de la Ligne de surimmersion.

(1.) Les hublots, les portes des coupées, les portes de chargement, les sabords à charbon, et autres dispositifs fermant les ouvertures pratiquées dans la muraille du navire au-dessus de la ligne de surimmersion doivent être convenablement dessinés et construits et présenter une résistance suffisante, eu égard au compartiment dans lequel elles sont placées et à leur position par rapport à la ligne de charge maximum de compartimentage.

(2.) Le pont de cloisonnement ou un autre pont situé au-dessus doit être étanche en ce sens que, dans des circonstances de mer ordinaires, il ne laisse pas l'eau pénétrer de haut en bas. Toutes les ouvertures pratiquées dans le pont exposé à la mer doivent être pourvues d'hiloires de hauteur et de résistance suffisantes et munies de moyens de fermeture efficaces permettant de les fermer rapidement et de les rendre étanches à la mer.

(3.) Des sabords de décharge à la mer et (ou) des dalots doivent être installés pour évacuer rapidement l'eau des ponts exposés à la mer en toutes circonstances de mer.

REGULATION XVIII.

Exits from Watertight Compartments.

Watertight com-
partment exits.

(1.) In passenger and crew spaces, practicable means of exit to the open deck shall be provided for the occupants from each watertight compartment.

(2.) Practicable means of escape for the crew shall be provided from each engine room, shaft tunnel, stokehold compartment, and other working spaces, independent of watertight doors.

REGULATION XIX.

Pumping Arrangements.

Pumping arrange-
ments

Steamships.

Steamships.

(1.) Ships shall be provided with an efficient pumping plant capable of pumping from and draining any watertight compartment under all practicable conditions after a casualty whether the ship is upright or listed. For this purpose wing suction will generally be necessary except in narrow compartments at the ends of the ship. Where close ceiling is fitted over the bilges, arrangements shall be made whereby water in the compartment may find its way to the suction pipes. Efficient means shall be provided for draining water from insulated holds.

(2.) In addition to the ordinary bilge pump, worked by the main engines, or its equivalent engine room pump, two independent power bilge pumps shall be provided, except that in ships less than 300 feet (91.5 metres) in length, having a criterion numeral less than 30, either two efficient hand pumps of the crank type fitted one forward and one aft, or a portable power pump, may be substituted for one of the additional independent power bilge pumps.

Sanitary, ballast and general service pumps may be accepted as independent power bilge pumps if fitted with the necessary connections to the bilge pumping system.

(3.) Where two or more independent power pumps are required, the arrangement shall be such that at least one power pump will be available for use in all ordinary circumstances in which a vessel may be flooded at sea. One of the power pumps shall, therefore, be an emergency pump of a reliable submersible type. A source of power situated above the bulkhead deck shall be available for this pump in any case of emergency.

(4.) Where practicable, the power bilge pumps shall be placed in separate watertight compartments so arranged or situated that these compartments will not readily be flooded by the same damage. If the engines and boilers are in two or more watertight compartments,

RÈGLE XVIII.

Évacuation des Compartiments étanches.

(1.) Dans les parties du navire affectées aux passagers et à l'équipage, tout compartiment étanche doit être pourvu d'une échappée praticable offrant aux personnes qui l'occupent un moyen de gagner le pont découvert.

(2.) Toute chambre de machine, tout tunnel d'arbre, toute chaufferie et tout autre local de service doit être pourvu d'une échappée praticable offrant au personnel un moyen de retraite qui n'exige pas la traversée de portes étanches.

RÈGLE XIX.

*Moyens de Pompage.**Navires à vapeur.*

(1.) Tout navire doit être pourvu d'une installation de pompage efficace permettant d'épuiser et d'assécher, dans la mesure pratiquement possible, à la suite d'une avarie, un compartiment étanche quelconque, que le navire soit droit ou incliné. A cet effet des aspirations latérales sont en général nécessaires, sauf dans les parties resserrées aux extrémités du navire. Lorsque le vaigrage aux bouchains est jointif, on doit ménager un accès de l'eau aux tuyaux d'aspiration. Des moyens efficaces doivent être prévus pour l'épuisement de l'eau des cales frigorifiques.

(2.) En plus de la pompe de cale ordinaire conduite par la machine principale ou de la pompe indépendante qui la remplace, il y aura deux pompes de cale indépendantes actionnées par une source d'énergie. Toutefois, dans les navires de moins de 91m. 50 (300 pieds) de longueur ayant un critérium numérique inférieur à 30, une des pompes indépendantes peut être remplacée soit par deux pompes à bras efficaces, placées une à l'avant, l'autre à l'arrière, soit par une pompe transportable actionnée par une source d'énergie.

Les pompes sanitaires, les pompes de ballast ou de service peuvent être considérées comme des pompes de cale indépendantes si elles sont disposées pour être reliées au réseau de tuyautage de cale.

(3.) Lorsqu'il est exigé deux pompes indépendantes au moins actionnées par une source d'énergie, leur disposition doit être telle qu'une au moins puisse servir, dans les circonstances ordinaires où le navire peut être envahi à la mer. Une de ces pompes indépendantes doit en conséquence être une pompe de secours d'un type submersible éprouvé. Une source d'énergie située au-dessus du pont de cloisonnement doit être disponible pour actionner cette pompe en toute éventualité.

(4.) Si possible, les pompes de cale actionnées par une source d'énergie doivent être placées dans des compartiments étanches séparés et situés de telle sorte que la même avarie ne puisse vraisemblablement pas en amener l'envahissement rapide. Si les machines

the pumps available for bilge service shall be distributed through these compartments as far as is possible.

(5.) With the exception of pumps which may be provided for peak compartments only, each bilge pump, whether operated by hand or by power, shall be arranged to draw water from any hold or machinery compartment in the ship.

(6.) Each independent power bilge pump shall be capable of giving a speed of water through the main bilge pipe of not less than 400 feet (122 metres) per minute, and it shall have a separate direct suction, to the compartment in which it is situated, of a diameter not less than that of the bilge main. The direct suction from each independent power bilge pump shall be arranged to pump from either side of the ship.

(7.) Main circulating pumps shall have direct suction connections, provided with non-return valves, to the lowest drainage level in the machinery space, and of a diameter at least two-thirds that of the main sea inlet. Where the fuel is, or may be, coal, and there is no watertight bulkhead between the engines and boilers, a direct discharge overboard shall be fitted from at least one circulating pump, or, alternatively, a bye-pass may be fitted to the circulating discharge.

(8.)—(a.) All pipes from the pumps which are required for draining cargo or machinery spaces shall be entirely distinct from pipes which may be used for filling or emptying spaces where water or oil is carried.

(b.) Lead pipes shall not be used under coal bunkers or oil fuel storage tanks, nor in boiler or machinery spaces, including motor rooms in which oil settling tanks or oil fuel pump units are situated.

(9.) The Administration shall make rules relating to the diameters of the bilge main and branch pipes which shall be proportioned respectively in relation to the size of the ship and the sizes of the compartments to be drained.

(10.) The arrangement of the bilge and ballast pumping system shall be such as to prevent the possibility of water passing from the sea and from water ballast spaces into the cargo and machinery spaces, or from one compartment to another. Special provision shall be made to prevent any deep tank having bilge and ballast connections being inadvertently run up from the sea when containing cargo, or pumped out through a bilge pipe when containing water ballast.

(11.) Provision shall be made to prevent the compartment served by any bilge suction pipe being flooded, in the event of the pipe being severed or otherwise damaged, by collision or grounding, in any

et les chaudières sont dans deux ou plus de deux compartiments étanches les pompes utilisables comme pompes de cale doivent être réparties autant que possible dans ces divers compartiments.

(5.) Chaque pompe de cale, à bras ou mécanique, à l'exception de celles qui sont prévues pour les coquerons seulement, doit être disposée pour aspirer dans une cale quelconque ou un compartiment quelconque de la tranche des machines.

(6.) Chaque pompe de cale indépendante mécanique doit être capable d'imprimer à l'eau dans le collecteur principal d'aspiration une vitesse d'au moins 122 mètres (400 pieds) par minute, elle doit avoir une aspiration directe séparée dans le compartiment où elle est située et d'un diamètre au moins égal à celui de ce collecteur. Les aspirations directes de chaque pompe indépendante mécanique doivent être disposées pour aspirer de chaque bord du navire.

(7.) Les pompes de circulation principales doivent avoir une aspiration directe munie de clapet de non-retour, au point le plus bas de la chambre des machines et d'un diamètre au moins égal aux deux tiers de la prise principale d'eau de circulation. Si le combustible est, ou peut être du charbon, et s'il n'y a pas de cloison étanche entre les machines et les chaudières, une pompe de circulation au moins doit pouvoir refouler directement à la mer ou bien un tuyautage direct doit être installé allant à la décharge principale muni de vanne d'isolement.

(8.)—(a.) Le tuyautage desservant les pompes exigées pour l'épuisement des compartiments des machines ou des cales à marchandises doit être entièrement distinct du tuyautage employé pour le remplissage ou l'épuisement des compartiments à eau ou à combustible liquide.

(b.) L'emploi de tuyaux en plomb est interdit dans les soutes à charbon ou dans les soutes à combustible liquide, ou dans les chambres de machines ou de chaudières, y compris les chambres des moteurs renfermant des pompes à combustible liquide ou des caisses de décantation.

(9.) L'Administration doit établir des règles pour le calcul du diamètre des collecteurs et branchements du tuyautage des cales en tenant compte des dimensions du navire et de celles des compartiments à épuiser.

(10.) La disposition du tuyautage des cales et du tuyautage des ballasts doit être telle que l'eau ne puisse passer de la mer ou des ballasts dans les compartiments des machines ou les cales à marchandises, ni d'un compartiment dans l'autre. On doit prendre en particulier des mesures pour éviter qu'une cale à eau ayant des aspirations sur le tuyautage de cale et sur celui des ballasts ne puisse, par inadvertence, être remplie d'eau de mer quand elle est utilisée comme cale à marchandises ou vidée par le tuyau de cale quand elle contient du lest liquide.

(11.) Des mesures doivent être prises pour que, si un compartiment desservi par un tuyau d'aspiration de cale vient à être rempli, il ne se déverse dans un autre compartiment, dans le cas où le tuyau

other compartment. For this purpose, where the pipe is at any part situated near the side of the ship or in a duct keel, there shall be fitted to the pipe in the compartment containing the open end either a non-return valve, or a screw-down valve which can be operated from a position above the bulkhead deck.

(12.) All distribution boxes, cocks and valves in connection with the bilge pumping arrangement shall be in positions which are accessible at all times under ordinary circumstances. They shall be so arranged that in the event of flooding the emergency bilge pump may be operative on any compartment. If there is only one system of pipes common to all the pumps, the necessary cocks or valves for controlling the bilge suction must be workable from above the bulkhead deck. If in addition to the main bilge pumping system an emergency bilge pumping system is provided, it shall be independent of the main system and so arranged that the emergency pump is capable of operating on any compartment under flooding conditions.

Motor Ships.

Motor ships.

(13.) The bilge pumping arrangements in motor ships shall, so far as practicable, be equivalent to those required for steamships of similar size, except as regards main circulating pumps.

REGULATION XX.

Power for Going Astern.

Power for going astern.

Ships shall have sufficient power for going astern to secure proper control of the ship in all circumstances.

REGULATION XXI.

Auxiliary Steering Apparatus.

Auxiliary steering apparatus.

Ships shall be provided with an auxiliary steering apparatus which, however, may be of less power than the main apparatus, and need not be worked by steam or other mechanical power, provided adequate arrangements for manual operation are practicable. A duplicate main steering power plant shall be considered as an auxiliary steering apparatus within the meaning of this Regulation.

REGULATION XXII.

Initial and Subsequent Surveys of Ships.

Initial and subsequent surveys of ships.

(1.) Every new or existing ship shall be subjected to the surveys specified below:—

- (a.) A survey before the ship is put in service.
- (b.) A periodical survey once every twelve months.
- (c.) Additional surveys, as occasion arises.

d'aspiration en question serait lui-même brisé ou avarié par collision ou échouage. Pour cela, si en un point de son tracé, le tuyau est situé près du bordé extérieur ou dans une quille tubulaire, on doit placer sur le tuyau dans le compartiment qui contient l'extrémité libre du tuyau soit un clapet de non-retour, soit une vanne à tige filetée qui puisse être manœuvrée d'un point au-dessus du pont de cloisonnement.

(12.) Toutes les boîtes de distribution, vannes, robinets, faisant partie du système d'épuisement des cales doivent être placés dans des endroits où ils soient toujours accessibles dans les circonstances normales. Ils doivent être disposés de telle sorte qu'en cas de remplissage d'un compartiment, on puisse mettre en marche la pompe de secours sur un compartiment quelconque. S'il n'y a qu'un réseau de tuyaux commun à toutes les pompes, les vannes et robinets qu'il est nécessaire de manœuvrer pour régler les aspirations de cale doivent pouvoir être commandées d'un point au-dessus du pont de cloisonnement. Si, en plus du réseau normal de tuyautage de cale il y a un réseau de secours, il doit être indépendant du réseau principal et disposé de telle sorte que la pompe de secours puisse aspirer dans un compartiment quelconque en cas d'envahissement d'un compartiment.

Navires à moteurs.

(13.) Le système de pompage à la cale des navires à moteurs doit, autant que cela est pratiquement possible, et à l'exception de ce qui est relatif aux pompes de circulation, être équivalent à celui que serait exigé pour un navire à vapeur de même dimension.

RÈGLE XX.

Marche arrière.

La puissance de marche arrière doit être suffisante pour assurer au navire des aptitudes de manœuvre convenables en toutes circonstances.

RÈGLE XXI.

Appareil à gouverner auxiliaire.

Les navires doivent être munis d'un appareil à gouverner auxiliaire, qui peut être d'une puissance inférieure à celle de l'appareil principal; il n'est pas exigé que cet appareil auxiliaire soit actionné par la vapeur ou toute autre source d'énergie, pourvu que des dispositifs appropriés pour une commande à la main soient réalisables. Un moteur identique au moteur de la machine à gouverner principale sera considéré comme un appareil à gouverner auxiliaire dans le sens de la présente Règle.

RÈGLE XXII.

Inspections initiales et subséquentes de Navires.

(1.) Tout navire neuf ou existant doit être soumis aux inspections spécifiées ci-après:

- (a) une inspection préalable à la mise en service;
- (b) une inspection périodique tous les douze mois;
- (c) des inspections supplémentaires occasionnelles.

(2.) The surveys referred to above shall be carried out as follows:—

(a.) *The survey before the ship is put in service* shall include a complete inspection of the hull, machinery and equipments, including the outside of the ship's bottom and the inside and outside of the boilers. This survey shall be such as to ensure that the arrangements, material, and scantlings of the hull, boilers, and their appurtenances, main and auxiliary machinery, life-saving appliances, and other equipments, fully comply with the requirements of the present Convention and of the detailed regulations promulgated as a result thereof by the Government of the country to which the ship belongs for ships of the service for which it is intended. The survey shall also be such as to ensure that the workmanship of all parts of the ship and its equipments is in all respects satisfactory.

(b.) *The periodical survey* shall include an inspection of the whole of the hull, boilers, machinery, and equipments, including the outside of the ship's bottom. The survey shall be such as to ensure that the ship, as regards the hull, boilers, and their appurtenances, main and auxiliary machinery, life-saving appliances, and other equipments, is in satisfactory condition and fit for the service for which it is intended, and that it complies with the requirements of the present Convention, and of the detailed regulations promulgated as a result thereof by the Government of the country to which the ship belongs.

(c.) *A survey, either general or partial*, according to the circumstances, shall be made every time an accident occurs or a defect is discovered which affects the safety of the ship or the efficiency or completeness of its life-saving appliances or other equipments, or whenever any important repairs or renewals are made. The survey shall be such as to ensure that the necessary repairs or renewals have been effectively made, that the material and workmanship of such repairs or renewals are in all respects satisfactory, and that the ship complies in all respects with the provisions of the present Convention and of the detailed regulations promulgated as a result thereof by the Government of the country to which the ship belongs.

(3.) The detailed regulations referred to in sub-paragraph (2) shall prescribe the requirements to be observed as to the initial and subsequent hydraulic tests to which the main and auxiliary boilers, connections, steam-pipes, high-pressure receivers, and fuel tanks for oil motors are to be submitted, including the test pressure to be applied, and the intervals between two consecutive tests.

Main and auxiliary boilers, connections, tanks and receivers, also steam-piping of more than 3 inches (76 millimetres) internal diameter shall be satisfactorily tested by hydraulic pressure when new. Steam pipes of more than 3 inches (76 millimetres) internal diameter shall be tested by hydraulic pressure periodically.

(2.) Les inspections visées dans l'Article précédent doivent s'effectuer dans les conditions suivantes:

(a.) *L'inspection préalable à la mise en service* comporte un examen complet de la coque, des appareils mécaniques et de l'armement, notamment une visite à sec de la carène ainsi qu'une visite extérieure et intérieure des chaudières. Cette inspection doit permettre de se rendre compte que le navire répond complètement, au point de vue des dispositions générales, des matériaux et échantillons de la coque, des chaudières et de leurs accessoires, des machines principales et auxiliaires, des engins de sauvetage et de l'armement, aux prescriptions de la présente Convention ainsi qu'à celles des règlements de détail édictés pour l'application par le Gouvernement de l'Etat dont il dépend, pour les navires affectés au service auquel le navire est destiné. L'inspection doit également permettre de se rendre compte que le navire et son armement sont d'une exécution satisfaisante à tous égards.

(b.) *L'inspection périodique* comporte un examen d'ensemble de la coque, des chaudières, de la machinerie et de l'armement, notamment une visite à sec de la carène. Cette inspection doit permettre de se rendre compte que le navire est, au point de vue de la coque, des chaudières et accessoires, des machines principales et auxiliaires ainsi que des engins de sauvetage et de l'armement, dans un état satisfaisant et approprié au service auquel il est destiné, et qu'il répond, en outre, aux prescriptions de la présente Convention et à celles des règlements de détail édictés pour l'application par le Gouvernement de l'Etat dont relève le navire.

(c.) *Une inspection générale ou partielle*, suivant le cas, doit être faite chaque fois qu'il se produit un accident ou qu'il se révèle un défaut affectant soit la sécurité du navire, soit l'intégrité ou l'efficacité des engins de sauvetage ou des autres appareils. Il en est de même chaque fois que le navire a subi une réparation ou que des parties importantes en ont été renouvelées. L'inspection doit permettre de se rendre compte que les réparations nécessaires ou les renouvellements ont été effectués dans de bonnes conditions, que les matériaux utilisés, ainsi que les procédés d'exécution employés, donnent toute satisfaction, et que le navire répond à tous égards aux prescriptions de la présente Convention et à celles des règlements de détail édictés pour l'application par le Gouvernement dont relève le navire.

(3.) Les règlements de détail, visés au paragraphe (2) ci-dessus, fixent les règles à observer pour les essais hydrostatiques avant et après la mise en service applicables aux chaudières principales et auxiliaires, à leurs accessoires, aux tuyautages de vapeur, réservoirs à haute pression, réservoirs à combustible liquide pour moteurs à combustion interne. Ils doivent indiquer les pressions d'épreuve et l'intervalle entre deux essais consécutifs.

Les chaudières principales et auxiliaires, leurs accessoires, les réservoirs divers et les tuyautages de vapeur de plus de 76 millimètres (3 pouces) de diamètre intérieur doivent subir avec succès une épreuve hydraulique avant leur mise en service. Les tuyaux de vapeur de plus de 76 millimètres (3 pouces) de diamètre intérieur, subiront des épreuves hydrauliques périodiques.

REGULATION XXIII.

Maintenance of Conditions after Survey.

Maintenance of
conditions after sur-
vey

After the survey of the ship as provided in Regulation XXII has been completed no change shall be made in the structural arrangements, machinery, equipments, &c., covered by the survey, without the sanction of the Administration.

Life saving appli-
ances, etc

LIFE SAVING APPLIANCES, &c.

REGULATION XXIV.

Standard Types of Boats.

Standard types of
boats

The standard types of boats are classified as follows:—

Class I.—Open boats with rigid sides having either (a) internal buoyancy only, or (b) internal and external buoyancy.

Class II.—(a) Open boats with internal and external buoyancy—upper parts of sides collapsible, and (b) decked boats with either fixed or collapsible watertight bulwarks.

No boat may be approved the buoyancy of which depends upon the previous adjustment of one of the principal parts of the hull, or which has not a cubic capacity of at least 3·5 cubic metres (equivalent to 125 cubic feet).

No boat may be approved the weight of which when fully laden with persons and equipment exceeds 20,300 kilogrammes (equivalent to 20 tons).

REGULATION XXV.

Lifeboats of Class I.

Lifeboats of Class I

Lifeboats of Class I must have a mean sheer at least equal to four per cent. of their length.

The air cases of lifeboats of Class I shall be so placed as to secure stability when fully laden under adverse weather conditions.

In boats certified to carry 100 or more persons the volume of the buoyancy shall be increased to the satisfaction of the Administration.

Conditions

Lifeboats of Class I must also satisfy the following conditions:—

(a.) *Lifeboats with Internal Buoyancy only.*

Internal buoyancy
only

The buoyancy of a wooden boat of this type shall be provided by watertight air-cases, the total volume of which shall be at least equal to one-tenth of the cubic capacity of the boat.

RÈGLE XXIII.

Prescriptions concernant les Modifications faites au Navire dans l'intervalle des Visites.

Après achèvement de l'inspection du navire prévue à la Règle XXII, aucune modification ne devra être apportée sans l'autorisation de l'Administration aux dispositions de la coque, de l'appareil moteur, de l'armement, &c., soumis à la surveillance.

ENGINS DE SAUVETAGE, &c.

RÈGLE XXIV.

Types réglementaires d'Embarcations.

Les types réglementaires d'embarcations sont classés comme suit:

Classe I—Embarcations ouvertes, à bordé rigide avec (a) flotteurs intérieurs seulement, (b) flotteurs intérieurs et extérieurs.

Classe II.—(a) Embarcations ouvertes, avec flotteurs intérieurs et extérieurs avec la partie, supérieure du bordé repliable; (b) embarcations pontées, avec fargues étanches fixes ou repliables.

Une embarcation ne peut être admise si sa flottabilité dépend de l'ajustement préalable d'une des principales parties de la coque, ou si sa capacité cubique est inférieure à 3 mc. 500 (125 pieds cubes).

Une embarcation ne peut être admise si son poids, en pleine charge avec les personnes qu'elle peut recevoir et son armement dépasse 20300 kilogr. (20 tonnes anglaises).

RÈGLE XXV.

Embarcations de Sauvetage de la Classe I.

Les embarcations de sauvetage de la Classe I doivent avoir une tonture moyenne au moins égale à quatre pour cent de leur longueur.

Les caissons à air des embarcations de sauvetage de la Classe I doivent être disposés de manière à assurer la stabilité de l'embarcation complètement chargée dans des circonstances de temps défavorables.

Dans les embarcations admises à porter 100 personnes ou plus, le volume des flotteurs doit être augmenté à la satisfaction de l'Administration.

Les embarcations de sauvetage de la Classe I doivent aussi satisfaire aux conditions suivantes:

(a.) *Embarcations de Sauvetage avec Flotteurs intérieurs seulement.*

La flottabilité d'une embarcation en bois de ce type doit être assurée par des caissons à air étanches ayant un volume total au moins égal au dixième de la capacité cubique de l'embarcation.

The buoyancy of a metal boat of this type shall not be less than that required above for a wooden boat of the same cubic capacity, the volume of watertight air-cases being increased accordingly.

(b.) *Lifeboats with Internal and External Buoyancy.*

Internal and external buoyancy

The internal buoyancy of a wooden boat of this type shall be provided by watertight air-cases, the total volume of which is at least equal to seven and a half per cent. of the cubic capacity of the boat.

The external buoyancy may be of cork or of any other equally efficient material, but such buoyancy shall not be obtained by the use of rushes, cork shavings, loose granulated cork or any other loose granulated substance, or by any means dependent upon inflation by air.

If the buoyancy is of cork, its volume, for a wooden boat, shall not be less than thirty-three thousandths of the cubic capacity of the boat; if of any material other than cork, its volume and distribution shall be such that the buoyancy and stability of the boat are not less than that of a similar boat provided with buoyancy of cork.

The buoyancy of a metal boat shall be not less than that required above for a wooden boat of the same cubic capacity, the volume of the watertight air-cases and that of the external buoyancy being increased accordingly.

REGULATION XXVI.

Boats of Class II.

Boats of Class II.

Conditions

Boats of Class II must satisfy the following conditions:—

(a.) *Open Boats with Internal and External Buoyancy—Upper Part of Sides collapsible.*

Open boats, etc.

A boat of this type shall be fitted both with watertight air-cases and with external buoyancy the aggregate volume of which, for each person which the boat is able to accommodate, shall be at least equal to the following amounts:—

	Cubic Decimetres.	Cubic. Feet.
Air-cases	43	1.5
External buoyancy (if of cork)	6	0.2

The external buoyancy may be of cork or of any other equally efficient material, but such buoyancy shall not be obtained by the use of rushes, cork shavings, loose granulated cork, or any other loose granulated substance, or by any means dependent upon inflation by air.

La flottabilité d'une embarcation métallique de ce type ne doit pas être inférieure à celle qui est exigée ci-dessus pour l'embarcation en bois de même capacité cubique; le volume des caissons à air étanches doit être augmenté en conséquence.

(b) *Embarcations de Sauvetage avec Flotteurs intérieurs et extérieurs.*

La flottabilité intérieure d'une embarcation en bois de ce type doit être assurée par des caissons à air étanches ayant un volume total au moins égal à sept et demi pour cent de la capacité cubique de l'embarcation.

Les flotteurs extérieurs peuvent être constitués par du liège ou par toute autre matière au moins équivalente. Ne sont pas admis les flotteurs dont le remplissage est constitué par du jonc, du liège en copeaux ou en grains, ou par toute autre substance à l'état de déchets et sans cohésion propre, non plus que les flotteurs nécessitant une insufflation d'air.

Lorsque les flotteurs sont en liège, leur volume, pour une embarcation en bois, ne doit pas être inférieur aux trente-trois millièmes de la capacité cubique de l'embarcation; s'ils sont en une autre matière que le liège, leur volume et leur installation doivent être tels que la flottabilité et la stabilité de l'embarcation ne soient pas inférieures à celles d'une embarcation similaire pourvue de flotteurs en liège.

La flottabilité d'une embarcation métallique ne doit pas être inférieure à celle qui est exigée ci-dessus pour une embarcation en bois de même capacité cubique; le volume des caissons et celui des flotteurs extérieurs doivent être augmentés en conséquence.

RÈGLE XXVI.

Embarcations de la Classe II.

Les embarcations de la Classe II doivent satisfaire aux conditions suivantes:

(a.) *Embarcations ouvertes ayant la partie supérieure du bordé repliable, avec des flotteurs intérieurs et extérieurs.*

Une embarcation de ce type doit comporter à la fois des caissons à air étanches et des flotteurs extérieurs. Leur volume total, pour chacune des personnes que l'embarcation est apte à recevoir, doit avoir au moins les valeurs suivantes:

	Décimètres cubes.	Pieds cubes anglais.
Caissons étanches	43	1, 5
Flotteurs extérieurs (s'ils sont en liège). . .	6	0, 2

Les flotteurs extérieurs peuvent être constitués par du liège ou par toute autre matière au moins équivalente. Ne sont pas admis les flotteurs dont le remplissage est constitué par du jonc, du liège en copeaux ou en grains, ou par toute autre substance à l'état de déchets et sans cohésion propre, non plus que les flotteurs nécessitant une insufflation d'air.

If of any material other than cork, its volume and distribution shall be such that the buoyancy and stability of the boat are not less than that of a similar boat provided with buoyancy of cork.

A metal boat of this type shall be provided with internal and external buoyancy to ensure that the buoyancy of the boat shall be at least equal to that of a wooden boat.

The minimum freeboard of boats of this type shall be fixed in relation to their length; and it shall be measured vertically to the top of the solid hull at the side amidships, from the water-level, when the boat is loaded.

The freeboard in fresh water shall not be less than the following amounts:—

Length of Lifeboat.		Minimum Freeboard.	
Metres.	Equivalent in Feet to—	Millimetres.	Equivalent in Inches to—
7.90	26	200	8
8.50	28	225	9
9.15	30	250	10

The freeboard of boats of intermediate lengths is to be found by interpolation.

The collapsible sides must be watertight.

Decked boats, etc.

(b.) *Decked Boats with either Fixed or Collapsible Watertight Bulwarks.*

(i.) *Decked Boats having a Well Deck.*—The area of the well deck of a boat of this type shall be at least 30 per cent. of the total deck area. The height of the well deck above the water-line at all points shall be at least equal to one-half per cent. of the length of the boat, this height being increased to one-and-a-half per cent. of the length of the boat at the ends of the well.

The freeboard of a boat of this type shall be such as to provide for a reserve buoyancy of at least 35 per cent.

(ii.) *Decked Boats having a Flush Deck.*—The minimum freeboard of boats of this type is independent of their lengths and depends only upon their depths. The depth of the boat is to be measured vertically from the underside of the garboard strake to the top of the deck at the side amidships and the freeboard is to be measured from the top of the deck at the side amidships to the water-level when the boat is loaded.

The freeboard in fresh water shall not be less than the following amounts, which are applicable without correction to boats having a mean sheer equal to three per cent. of their length:—

Depth of Lifeboat.		Minimum Freeboard.	
Millimetres.	Equivalent in Inches to—	Millimetres.	Equivalent in Inches to—
310	12	70	2¾
460	18	95	3¾
610	24	130	5½
760	30	165	6½

For intermediate depths the freeboard is obtained by interpolation.

Lorsque les flotteurs ne sont pas en liège, leur volume et leur installation doivent être tels que la flottabilité et la stabilité de l'embarcation ne soient pas inférieures à celles d'une embarcation similaire pourvue de flotteurs en liège.

Une embarcation métallique de ce type doit être munie de flotteurs intérieurs et extérieurs qui lui assurent une flottabilité au moins égale à celle d'une embarcation en bois.

Le franc-bord minimum des embarcations de ce type doit être fixé suivant leur longueur; il se mesure à mi-longueur de l'embarcation, et verticalement sur les flancs, depuis le sommet de la partie fixe de ceux-ci jusqu'à la flottaison en charge.

Le franc-bord en eau douce ne doit pas être inférieur aux valeurs ci-après:

Longueur de l'embarcation de sauvetage.		Franc-bord minimum.	
Mètres.	Pieds anglais.	Millimètres.	Pouces anglais.
7, 90	26	200	8
8, 50	28	225	9
9, 15	30	250	10

Le franc-bord des embarcations de longueur intermédiaire s'obtient par interpolation.

Les fargues repliables doivent être étanches.

(b.) *Embarcations pontées avec Fargues étanches fixes ou repliables.*

(i.) *Embarcations pontées avec pont surélevé en abord.*—La partie non surélevée du pont d'une embarcation de ce type doit présenter une surface non inférieure à 30 pour cent de la surface totale du pont. Cette partie non surélevée doit être, au-dessus de la flottaison en charge, d'une hauteur au moins égale en tous points à un demi pour cent de la longueur de l'embarcation; cette limite est portée à un et demi pour cent aux extrémités de cette partie.

Le franc-bord d'une embarcation de ce type doit être tel qu'il lui assure une réserve de flottabilité au moins égale à 35 pour cent.

(ii.) *Embarcations pontées à pont non surélevé.*—Le franc-bord minimum des embarcations de ce type est indépendant de leur longueur et est uniquement fixé d'après leur creux. Les mesures sont prises à mi-longueur de l'embarcation et verticalement, depuis le sommet du pont en abord jusqu'au-dessous du galbord pour le creux et jusqu'à la flottaison en charge pour le franc-bord.

Le franc-bord en eau douce ne doit pas être inférieur aux valeurs ci-après, qui sont applicables sans correction aux embarcations dont la tonture moyenne est égale aux trois centièmes de leur longueur:

Creux de l'embarcation de sauvetage.		Franc-bord minimum.	
Millimètres.	Pouces anglais.	Millimètres.	Pouces anglais.
310	12	70	2 $\frac{1}{2}$
460	18	95	3 $\frac{1}{2}$
610	24	130	5 $\frac{1}{2}$
760	30	165	6 $\frac{1}{2}$

Le franc-bord des embarcations de creux intermédiaire s'obtient par interpolation.

If the sheer is less than the standard sheer defined above, the minimum freeboard is obtained by adding to the figures in the table one-seventh of the difference between the standard sheer and the actual mean sheer measured at the stem and stern post; no deduction is to be made from the freeboard on account of the sheer being greater than the standard sheer or on account of the camber of the deck.

(iii.) All decked lifeboats shall be fitted with efficient means for clearing the deck of water.

REGULATION XXVII.

Motor Boats.

Motor boats
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A motor boat carried as part of the lifesaving appliances of a vessel, whether required by Regulation XXXVI (2) or not, shall comply with the following conditions:—

(a.) It shall comply with the requirements for a lifeboat of Class I, and proper appliances shall be provided for putting it into the water speedily.

(b.) It shall be adequately provided with fuel, and kept so as to be at all times ready for use.

(c.) The motor and its accessories shall be suitably enclosed to ensure operation under adverse weather conditions, and provision shall be made for going astern.

(d.) The speed shall be at least six knots when fully loaded in smooth water.

The volume of the internal buoyancy and, where fitted, the external buoyancy shall be increased in sufficient proportion to compensate for the difference between the weight of the motor, the searchlight, and the wireless telegraph installation and their accessories, and the weight of the additional persons which the boat could accommodate if the motor, the searchlight and the wireless telegraph installation and their accessories were removed.

REGULATION XXVIII.

Life Rafts.

Life rafts.

No type of life raft may be approved unless it satisfies the following conditions:—

(a.) It shall be of approved material and construction;

(b.) It shall be effective and stable when floating either way up;

(c.) It shall be fitted with fixed or collapsible bulwarks of wood, canvas or other suitable material on both sides;

(d.) It shall have a line securely becketed round the outside;

(e.) It shall be of such strength that it can be launched or thrown from the vessel's deck without being damaged, and if to be thrown it shall be of such size and weight that it can be easily handled;

(f.) It shall have not less than 85 cubic decimetres (equivalent to three cubic feet) of air-cases or equivalent buoyancy for each person to be carried thereon;

Si la tonture est moindre que la tonture normale définie précédemment, le franc-bord minimum s'obtient en ajoutant aux nombres du tableau la septième partie de la différence entre la tonture normale et la moyenne des tontures réelles à l'étrave et à l'étambot; aucune réduction du franc-bord n'est accordée pour une tonture supérieure à la tonture normale ni pour le bouge du pont.

(iii.) Toutes les embarcations de sauvetage pontées doivent être pourvues de dispositifs efficaces pour assurer l'évacuation de l'eau du pont.

RÈGLE XXVII.

Embarcations à moteur.

Pour qu'une embarcation à moteur puisse être admise comme faisant partie des engins de sauvetage d'un navire, que ce soit à titre obligatoire en vertu de la Règle XXXVI, (2) ou non, elle doit remplir les conditions ci-après:

(a.) Elle doit satisfaire aux prescriptions formulées pour une embarcation de sauvetage de la Classe I et des dispositifs convenables doivent être prévus pour la mettre à l'eau rapidement.

(b.) Elle doit contenir un approvisionnement suffisant de combustible et être tenue constamment en état de marche.

(c.) Le moteur et ses accessoires doivent être enfermés convenablement pour en assurer le fonctionnement dans des conditions de temps défavorables, et on devra pouvoir faire marche arrière dans les mêmes conditions.

(d.) La vitesse doit être d'au moins six nœuds en pleine charge et en eau calme.

Le volume des flotteurs intérieurs et, le cas échéant, des flotteurs extérieurs, doit être augmenté dans une mesure convenable pour tenir compte de la différence entre le poids du moteur, du projecteur, de l'installation radiotélégraphique et de leurs accessoires et le poids des personnes supplémentaires que l'embarcation pourrait recevoir si le volume occupé par le moteur, le projecteur, l'installation radiotélégraphique et leurs accessoires était rendu disponible.

RÈGLE XXVIII.

Radeaux de Sauvetage.

Un type de radeau de sauvetage ne peut être approuvé s'il ne satisfait aux conditions suivantes:

(a.) Il doit être de matière et de construction approuvées.

(b.) Il doit être utilisable et stable, quelle que soit la face sur laquelle il flotte.

(c.) Il doit être pourvu sur les deux faces de fargues fixes ou repliables en bois, en toile ou en toute autre matière convenable.

(d.) Il doit avoir une filière en guirlande solidement attachée tout autour des parois extérieures.

(e.) Il doit avoir résistance suffisante pour pouvoir être lancé ou jeté sans avaries du pont du navire et, s'il est disposé pour être jeté, il doit être de dimensions et de poids tels qu'on puisse le manœuvrer facilement.

(f.) Il ne doit pas avoir moins de 85 décimètres cubes (trois pieds cubes) de caissons à air ou de flotteurs équivalents, pour chaque personne qu'il peut porter.

(g.) It shall have a deck area of not less than 3,720 square centimetres (equivalent to four square feet) for each person to be carried thereon, and it shall effectively support the occupants out of the water;

(h.) The air-cases or equivalent buoyancy shall be placed as near as possible to the sides of the life raft, and such buoyancy shall not be by any means dependent on inflation by air.

REGULATION XXIX.

Buoyant Apparatus.

Buoyant apparatus.

Buoyant apparatus, whether buoyant deck seats, buoyant deck chairs or other buoyant apparatus, shall be deemed sufficient, so far as buoyancy is concerned, for a person or number of persons to be ascertained by dividing the number of kilogrammes of iron which it is capable of supporting in fresh water by 14.5 (equivalent to the number of pounds divided by 32), and if the apparatus depends for its buoyancy on air it shall not require to be inflated before use in an emergency.

The number of persons for whom the apparatus is deemed suitable shall be determined by the least of the numbers ascertained either as above or by the number of 30.5 centimetres (equivalent to one foot) in the perimeter.

Such approved buoyant apparatus shall comply with the following conditions:—

1. It shall be constructed with proper workmanship and materials.
2. It shall be effective and stable when floating either way up.
3. It shall be of such size, strength and weight that it can be handled without mechanical appliances and, if necessary, thrown without damage from the vessel's deck on which it is stowed.
4. The air-cases or equivalent buoyancy shall be placed as near as possible to the sides of the apparatus.
5. It shall have a line securely becketed round the outside of the apparatus.

REGULATION XXX.

Cubic Capacity of Lifeboats of Class I.

Cubic capacity of lifeboats of Class I.

1. The cubic capacity of a lifeboat of Class I shall be determined by Stirling's (Simpson's) Rule or by any other method giving the same degree of accuracy. The capacity of a square-sterned boat shall be calculated as if the boat had a pointed stern.

2. For example, the capacity in cubic metres (or cubic feet) of a boat, calculated by the aid of Stirling's Rule, may be considered as given by the following formula:—

$$\text{Capacity} = \frac{l}{12} (4A + 2B + 4C)$$

l being the length of the boat in metres (or feet) from the inside of the planking or plating at the stem to the corresponding point at the stern post; in the case of a boat with a square stern, the length is measured to the inside of the transom.

(g.) Il doit avoir une surface de pont d'au moins 3720 centimètres carrés (quatre pieds carrés) pour chaque personne qu'il peut porter et les personnes qu'il porte doivent être effectivement hors de l'eau.

(h.) Les caissons à air ou les flotteurs équivalents doivent être disposés le plus possible en abord; aucun flotteur ne peut d'ailleurs être admis qui nécessiterait une insufflation d'air.

RÈGLE XXIX.

Engins flottants.

Un engin flottant, que ce soit un banc de pont flottant, une chaise de pont flottante ou tout autre engin flottant, doit être considéré, pour ce qui concerne la flottabilité, comme correspondant au nombre de personnes obtenu en divisant le nombre de kilogrammes de fer qu'il peut supporter en eau douce par 14,5 (équivalent au poids en livres divisé par 32). Si l'air est employé pour obtenir la flottabilité de l'appareil, il ne doit pas être nécessaire de procéder à une insufflation avant d'utiliser cet engin en cas d'urgence.

Le nombre de personnes pour lequel l'engin est considéré comme utilisable est le plus petit des deux nombres obtenus soit par la flottabilité comme il est dit ci-dessus, soit en divisant le périmètre, exprimé en centimètres par 30,5 (1 pied).

Chacun des engins flottants approuvés doit réaliser les conditions suivantes:—

1. Il doit être de matière et de construction approuvées;
2. Il doit être utilisable et stable, quelle que soit la face sur laquelle il flotte;
3. Il doit avoir des dimensions, une résistance et un poids tels qu'il puisse être manœuvré sans l'aide d'appareils mécaniques et, si cela est nécessaire, jeté à la mer sans avarie, depuis le pont du navire où il est placé;
4. Les caissons à air ou les flotteurs équivalents doivent être placés aussi près que possible des côtés de l'engin;
5. Il doit avoir une filière en guirlande solidement attachée tout autour des parois extérieures.

RÈGLE XXX.

Capacité cubique des Embarcations de Sauvetage de la Classe I.

1. La capacité cubique d'une embarcation de sauvetage de la Classe I doit être déterminée par la règle de Simpson (Stirling), ou par toute autre méthode donnant une précision du même ordre. La capacité d'une embarcation à arrière carré doit être calculée comme si l'embarcation était à arrière pointu.

2. A titre d'indication, la capacité, en mètres (ou pieds anglais) cubes, d'une embarcation, calculée à l'aide de la Règle de Simpson, peut être considérée comme donnée par la formule:

$$\text{Capacité} = \frac{l}{12} \times (4A + 2B + 4C)$$

l désigne la longueur de l'embarcation mesurée en mètres (ou pieds anglais) à l'intérieur du bordé en bois ou tôle, de l'étrave à l'étambot; dans le cas d'une embarcation à arrière carré, la longueur doit être mesurée jusqu'à la face intérieure du tableau.

A, B, C denote respectively the areas of the cross-sections at the quarter length forward, amidships, and the quarter length aft, which correspond to the three points obtained by dividing l into four equal parts (the areas corresponding to the two ends of the boat are considered negligible).

The areas A, B, C shall be deemed to be given in square metres (or square feet) by the successive application of the following formula to each of the three cross-sections:—

$$\text{Area} = \frac{h}{12} (a + 4b + 2c + 4d + e)$$

h being the depth measured in metres (or in feet) inside the planking or plating from the keel to the level of the gunwale, or, in certain cases, to a lower level, as determined hereafter.

a , b , c , d , e denote the horizontal breadths of the boat measured in metres (or in feet) at the upper and lower points of the depth and at the three points obtained by dividing h into four equal parts (a and e being the breadths at the extreme points, and c at the middle point, of h).

3. If the sheer of the gunwale, measured at the two points situated at a quarter of the length of the boat from the ends, exceeds 1 per cent. of the length of the boat, the depth employed in calculating the area of the cross-sections A or C shall be deemed to be the depth amidships plus 1 per cent. of the length of the boat.

4. If the depth of the boat amidships exceeds 45 per cent. of the breadth, the depth employed in calculating the area of the midship cross-section B shall be deemed to be equal to 45 per cent. of the breadth, and the depth employed in calculating the areas of the quarter length sections A and C is obtained by increasing this last figure by an amount equal to 1 per cent. of the length of the boat, provided that in no case shall the depths employed in the calculation exceed the actual depths at these points.

5. If the depth of the boat is greater than 122 centimetres (equivalent to 4 feet) the number of persons given by the application of this rule shall be reduced in proportion to the ratio of 122 centimetres to the actual depth, until the boat has been satisfactorily tested afloat with that number of persons on board, all wearing life-jackets.

6. Each Administration shall impose, by suitable formulæ, a limit for the number of persons allowed in boats with very fine ends and in boats very full in form.

7. Each Administration reserves the right to assign to a boat a capacity equal to the product of the length, the breadth and the depth multiplied by 0.6 if it is evident that this formula does not give a greater capacity than that obtained by the above method. The dimensions shall then be measured in the following manner:—

Length.—From the intersection of the outside of the planking with the stem to the corresponding point at the stern post or, in the case of a square sterned boat, to the after side of the transom.

A, B, C désignent respectivement les aires des sections transversales, milieu avant, milieu et milieu arrière, qui correspondent aux trois points obtenus en divisant 1 en 4 parties égales. (Les aires correspondant aux deux extrémités de l'embarcation sont considérées comme négligeables.)

Les aires A, B, C doivent être considérées comme données en mètres (ou en pieds anglais) carrés par l'application successive, à chacune des trois sections transversales, de la formule suivante:

$$\text{Aire} = \frac{h}{12} \times (a + 4b + 2c + 4d + e)$$

h désigne le creux mesuré en mètres (ou en pieds anglais), à l'intérieur du bordé en bois ou tôle, depuis la quille jusqu'au niveau du plat-bord, ou, le cas échéant, jusqu'à un niveau inférieur déterminé comme il est dit ci-après.

a , b , c , d , e désignent les largeurs horizontales de l'embarcation mesurées en mètres (ou en pieds anglais) aux deux points extrêmes du creux ainsi qu'aux trois points obtenus en divisant h en quatre parties égales (a et e correspondent aux deux points extrêmes et c au milieu de h).

3. Si la tonture du plat-bord, mesurée en deux points situés au quart de la longueur à partir des extrémités, dépasse un centième de la longueur de l'embarcation, le creux à employer pour le calcul de la section transversale correspondante A ou C doit être pris au plus égal au creux au milieu, augmenté du centième de la longueur de l'embarcation.

4. Si le creux de l'embarcation au milieu dépasse les 45 centièmes de la largeur, le creux à employer pour le calcul de la section transversale milieu B doit être pris égal aux 45 centièmes de la largeur et les creux à employer pour le calcul des sections transversales A et C situées aux quarts avant et arrière s'en déduisent en augmentant le creux employé pour le calcul de la section B d'un centième de la longueur de l'embarcation, sans pouvoir dépasser toutefois les creux réels en ces points.

5. Si le creux de l'embarcation est supérieur à 122 centimètres (4 pieds), le nombre de personnes que l'application des règles conduit à admettre doit être réduit dans la proportion de cette limite ou creux réel, jusqu'à ce qu'une expérience à flot avec à bord ledit nombre de personnes, toutes munies de leurs brassières de sauvetage, ait permis d'arrêter définitivement ce nombre.

6. Chaque Administration doit fixer par des formules convenables une limitation du nombre des personnes dans les embarcations à extrémités très fines et dans celles qui présentent des formes très pleines.

7. Chaque Administration conserve le droit d'attribuer à une embarcation une capacité égale au produit par 0,6 des trois dimensions, s'il est reconnu que ce mode de calcul ne donne pas un résultat approché par excès; les dimensions s'entendent alors mesurées dans les conditions suivantes:

Longueur: hors bordé, entre intersections de celui-ci avec l'étrave et l'étambot; dans le cas d'une embarcation à arrière carré, jusqu'à la face extérieure du tableau;

Breadth.—From the outside of the planking at the point where the breadth of the boat is greatest.

Depth.—Amidships inside the planking from the keel to the level of the gunwale, but the depth used in calculating the cubic capacity may not in any case exceed 45 per cent. of the breadth.

In all cases the shipowner has the right to require that the cubic capacity of the boat shall be determined by exact measurement.

8. The cubic capacity of a motorboat is obtained from the gross capacity by deducting a volume equal to that occupied by the motor and its accessories, and, when carried, the wireless telegraphy installation and the searchlight with their accessories.

REGULATION XXXI.

Deck Area of Boats of Class II.

Deck area of boats
of Class II.

1. The area of the deck of a decked boat shall be determined by the method indicated below or by any other method giving the same degree of accuracy. The same rule is to be applied in determining the area within the fixed bulwarks of a boat of Class II (a).

2. For example, the surface in square metres (or square feet) of a boat may be deemed to be given by the following formula:—

$$\text{Area} = \frac{l}{12} (2a + 1.5b + 4c + 1.5d + 2e)$$

l being the length in metres (or in feet) from the intersection of the outside of the planking with the stem to the corresponding point at the stern post.

a , b , c , d , e denote the horizontal breadths in metres (or in feet) outside the planking at the points obtained by dividing l into four equal parts and sub-dividing the foremost and aftermost parts into two equal parts (a and e being the breadths at the extreme sub-divisions, c at the middle point of the length, and b and d at the intermediate points).

REGULATION XXXII.

Marking of Boats, Life Rafts and Buoyant Apparatus.

Marking boats, life
rafts, and buoyant ap-
paratus.

The dimensions of the boat and the number of persons which it is authorised to carry, shall be marked on it in clear permanent characters. These marks shall be specifically approved by the officers appointed to inspect the ship.

Life rafts and buoyant apparatus shall be marked with the number of persons in the same manner.

REGULATION XXXIII.

Carrying Capacity of Boats.

Carrying capacity
of boats.

1. The number of persons which a boat of one of the standard types can accommodate is equal to the greatest whole number ob-

Largeur: hors bordé, au fort de la section milieu;

Creux: au milieu, à l'intérieur du bordé, depuis la quille jusqu'au niveau du plat-bord. Mais le creux à faire intervenir dans le calcul de la capacité cubique ne peut, en aucun cas, dépasser les 45 centièmes de la largeur.

Dans tous les cas, l'armateur est en droit d'exiger que le cubage de l'embarcation soit effectué exactement.

8. La capacité cubique d'une embarcation à moteur se déduit de la capacité brute en retranchant de celle-ci un volume égal à celui qui est occupé par le moteur et ses accessoires, et, le cas échéant, par l'installation radiotélégraphique et le projecteur avec leurs accessoires.

RÈGLE XXXI.

Surface des Embarcations de la Classe II.

1. La surface du pont d'une embarcation pontée doit être déterminée comme il est dit ci-après, ou par toute autre méthode donnant une précision du même ordre; la même règle est applicable à la détermination de la surface comprise à l'intérieur du bordé rigide d'une embarcation de la Classe II (a).

2. A titre d'indication, la surface, en mètres (ou en pieds anglais) carrés d'une embarcation peut être considérée comme donnée par la formule:

$$\text{Surface} = \frac{l}{12} \times (2a + 1,5b + 4c + 1,5d + 2e)$$

l désigne la longueur, mesurée en mètres (ou en pieds anglais) hors bordé entre intersections de celui-ci avec l'étrave et l'étambot.

a, b, c, d, e désignent les largeurs horizontales, mesurées en mètres (ou en pieds anglais), hors bordé aux points obtenus en divisant *l* en quatre parties égales et en marquant les milieux des quarts extrêmes (a et e correspondent aux subdivisions extrêmes, c au milieu de la longueur, b et d aux points intermédiaires).

RÈGLE XXXII.

Inscriptions sur les Embarcations, les Radeaux de Sauvetage et les Engins Flottants.

Les dimensions de l'embarcation, ainsi que le nombre de personnes qu'elle est reconnue apte à recevoir, doivent être inscrits sur l'embarcation en caractères indélébiles et faciles à lire. Ces inscriptions doivent être spécialement approuvées par les fonctionnaires préposés à l'inspection du navire.

L'inscription du nombre de personnes sur les radeaux de sauvetage et les engins flottants doit être faite dans les mêmes conditions.

RÈGLE XXXIII.

Capacité de Transport des Embarcations.

1. Le nombre de personnes qu'une embarcation de l'un des types réglementaires est apte à recevoir est égal au plus grand nombre

tained by dividing the capacity in cubic metres (or cubic feet), or the surface in square metres (or square feet), of the boat by the standard unit of capacity, or unit of surface (according to circumstances), defined below for each type.

2. The standard units of capacity and surface for determining the number of persons are as follows:—

Unit of Capacity.	Cubic Metres.	Equivalent in Cubic Feet.
Open boats, Class I (a).	0.283	10
Open boats, Class I (b).	0.255	9
Unit of Surface.	Square Metres.	Equivalent in Square Feet.
Class II	0.325	3½

3. The Administration may accept, in place of 0.325 or 3½, as the case may be, a smaller divisor, if it is satisfied after trial that the number of persons for whom there is seating accommodation in the decked boat in question is greater than the number obtained by applying the above divisor, provided always that the divisor adopted in place of 0.325 or 3½, as the case may be, may never be less than 0.280 or 3, as the case may be.

The Administration which accepts a lower divisor in this way shall communicate to the other Administrations particulars of the trial and drawings of the decked boat in question.

REGULATION XXXIV.

Capacity Limits.

Capacity limits.

No boat shall be marked for a greater number of persons than that obtained in the manner specified in these Regulations.

This number shall be reduced—

- (1) when it is greater than the number of persons for which there is proper seating accommodation; the latter number shall be determined in such a way that the persons when seated do not interfere in any way with the use of the oars;
- (2) when, in the case of boats other than those of Class I, the freeboard when the boat is fully loaded is less than the freeboard laid down for each type respectively; the number shall be reduced until the freeboard when the boat is fully loaded is at least equal to the standard freeboard laid down above.

In boats of Class II (b) (i), the raised part of the deck at the sides may be regarded as affording seating accommodation.

REGULATION XXXV.

Equivalents for and Weight of the Persons.

Equivalents for and weight of the persons

In the tests for determining the number of persons which a boat or life raft can accommodate, each person shall be assumed to be an adult person wearing a life-jacket.

entier contenu dans le quotient de la capacité en mètres (ou pieds) cubes, ou de la surface en mètres (ou pieds) carrés de l'embarcation, par la valeur réglementaire de la capacité unitaire, ou de la surface unitaire (suivant le cas) qui est défini ci-après pour chaque type.

2. Les valeurs réglementaires des capacités et surfaces unitaires sont les suivantes:

Capacités unitaires.	En mètres cubes.	En pieds cubes anglais.
Embarcations ouvertes, Classe I (a) . . .	0, 283	10
Embarcations ouvertes, Classe I (b) . . .	0, 255	9
Surfaces unitaires.	En mètres carrés.	En pieds carrés anglais.
Classe II	0, 325	3½

3. L'Administration a la faculté d'accepter, au lieu de 0.325 ou 3½ suivant le cas, un diviseur plus faible, si un essai lui a fait reconnaître que le nombre de places assises dans l'embarcation pontée en question est plus élevé que celui qui résulte de l'application du premier diviseur; toutefois, la valeur adoptée, en remplacement de 0.325 ou 3½ suivant le cas, ne peut être inférieure à 0.280 ou 3 suivant le cas.

L'Administration qui aura usé de cette faculté doit communiquer aux autres Administrations le compte rendu de l'essai effectué, accompagné des plans de l'embarcation pontée en question.

RÈGLE XXXIV.

Limites de la Capacité.

On ne doit pas inscrire sur une embarcation un nombre de personnes supérieur à celui qu'on obtient par les méthodes indiquées au présent Règlement.

Ce nombre doit être réduit:

(1) lorsqu'il est supérieur au nombre des personnes qui ont une place assise convenable, ce dernier étant déterminé de telle façon que les personnes assises ne gênent en rien le maniement des avirons;

(2) lorsque, dans le cas d'embarcations autres que celles de la Classe I, le franc-bord en pleine charge est inférieur aux francs-bords indiqués respectivement pour les divers types. Dans ce cas, le nombre dont il s'agit doit être réduit dans toute la mesure nécessaire pour que le franc-bord en pleine charge soit au moins égal aux susdits francs-bords réglementaires.

Dans les embarcations de la Classe II (b) (i), la partie surélevée du pont en abord peut être considérée comme offrant des places assises.

RÈGLE XXXV.

Emplacement et poids des personnes.

Dans les expériences ayant pour but d'évaluer le nombre de personnes qu'une embarcation ou qu'un radeau de sauvetage est apte à recevoir, chaque unité correspond à une personne adulte, munie d'une brassière de sauvetage.

In verifications of freeboard the decked boats shall be loaded with a weight of at least 75 kilogrammes (165 lbs.) for each adult person that the decked boat is authorised to carry.

In all cases two children under 12 years of age shall be reckoned as one person.

REGULATION XXXVI.

Equipment of Boats and Life Rafts.

Equipment of boats
and life rafts

1. The normal equipment of every boat shall consist of:—

- (a.) A single banked complement of oars, two spare oars and a steering oar; one set and a half of thole pins or crutches; a boat hook.
- (b.) Two plugs for each plug hole (plugs are not required when proper automatic valves are fitted); a bailer and a galvanised iron bucket.
- (c.) A rudder and a tiller or yoke and yoke lines.
- (d.) Two hatchets.
- (e.) A lamp filled with oil and trimmed.
- (f.) A mast or masts with one good sail at least, and proper gear for each.
- (g.) An efficient compass.
- (h.) A life-line becketed round the outside.
- (i.) A sea-anchor.
- (j.) A painter.
- (k.) A vessel containing four and a half litres (equivalent to one gallon) of vegetable or animal oil. The vessel shall be so constructed that the oil can be easily distributed on the water, and so arranged that it can be attached to the sea-anchor.
- (l.) An airtight receptacle containing one kilogramme (equivalent to two pounds) of provisions for each person.
- (m.) A watertight receptacle provided with a dipper with lanyard containing one litre (equivalent to one quart) of fresh water for each person.
- (n.) At least one dozen self-igniting "red lights" and a box of matches in watertight containers.
- (o.) Half a kilogramme (equivalent to one pound) of condensed milk for each person.
- (p.) A suitable locker for the stowage of the small items of the equipment.
- (q.) Any boat which is certified to carry 100 or more persons shall be fitted with a motor and shall comply with the requirements of Regulation XXVII.

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A motor lifeboat need not carry a mast or sails or more than half the complement of oars, but it shall carry two boathooks.

Decked lifeboats shall have no plug-hole, but shall be provided with at least two bilge-pumps.

In the case of a ship which carries passengers in the North Atlantic north of 35° North Latitude, only a proportion of the boats, to be fixed by the Administration, need be equipped with masts and sails, and only one-half the quantity of condensed milk need be carried.

Dans les vérifications du franc-bord, les embarcations pontées doivent être chargées d'un poids de 75 kilogrammes (165 livres anglaises) au moins pour chaque personne adulte que l'embarcation pontée est reconnue apte à recevoir.

D'une façon générale, deux enfants âgés de moins de 12 ans sont comptés pour une personne.

RÈGLE XXXVI.

Armement des Embarcations et des Radeaux de Sauvetage.

1. L'armement normal de chaque embarcation est le suivant:

- (a) un nombre suffisant d'avirons pour la nage en pointe, plus deux avirons de rechange, et un aviron de queue; un jeu et demi de dames de nage ou de tolets; une gaffe;
- (b) deux tampons pour chaque nable (il n'est pas exigé de tampons pour les nables munis de soupapes automatiques convenables); une écope; un seau en fer galvanisé;
- (c) un gouvernail muni d'une barre franche ou à tire-veilles;
- (d) deux hachettes;
- (e) un fanal garni;
- (f) un ou plusieurs mâts, avec, au moins, une voile solide, et le gréement correspondant;
- (g) un compas efficace;
- (h) une filière extérieure en guirlande;
- (i) une ancre flottante;
- (j) une bosse;
- (k) un récipient contenant quatre litres et demi (un gallon anglais) d'huile végétale ou animale. Le récipient doit être disposé de façon à permettre de répandre aisément l'huile sur l'eau et construit de manière à pouvoir être amarré à l'ancre flottante;
- (l) un récipient étanche à l'air contenant des vivres à raison d'un kilogramme (2 livres anglaises) par personne;
- (m) un récipient étanche, avec un gobelet fixé par une aiguillette, contenant un litre (un quart anglais) d'eau douce par personne;
- (n) au moins une douzaine de signaux rouges automatiques et une boîte d'allumettes, le tout dans des récipients étanches;
- (o) 500 grammes (une livre anglaise) de lait condensé par personne;
- (p) un coffre convenable pour recevoir le petit matériel d'armement;
- (q) une embarcation admise à recevoir cent personnes ou plus doit être pourvue d'un moteur et satisfaire aux prescriptions de la Règle XXVII.

Les embarcations de sauvetage à moteur sont dispensées de porter un mât et des voiles et n'ont besoin que de la moitié de l'armement normal d'avirons, mais elles doivent avoir deux gaffes.

Les embarcations de sauvetage pontées ne doivent pas avoir de nable, mais elles doivent avoir au moins deux pompes de cale.

Dans le cas d'un navire à passagers affecté à l'Atlantique Nord (au nord du parallèle 35 degrés de latitude Nord), une partie seulement des embarcations doit être pourvue de mâts et voiles et la quantité de lait condensé doit être réduite de moitié.

2. Where the number of lifeboats carried on a ship is more than 13, one shall be a motor boat, and where the number is more than 19, two shall be motor boats. These motor lifeboats shall be fitted with a wireless telegraph installation and a searchlight.

The wireless telegraph installation shall comply with conditions as to range and efficiency to be decided by each Administration.

The searchlight shall include a lamp of at least 80 watts, an efficient reflector and a source of power which will give effective illumination of a light coloured object over a width of about 18 metres (60 feet) at a distance of 180 metres (200 yards) for a total period of six hours, and it shall be capable of working for three hours continuously.

Where the power for the wireless equipment and the searchlight are derived from the same source, this shall be sufficient to provide for the adequate working of both appliances.

3. The normal equipment of every approved life raft shall consist of—

- (a.) Four oars.
- (b.) Five rowlocks.
- (c.) A self-igniting lifebuoy light.
- (d.) A sea-anchor.
- (e.) A painter.
- (f.) A vessel containing four and a half litres (equivalent to one gallon) of vegetable or animal oil. The vessel shall be so constructed that the oil can be easily distributed on the water, and so arranged that it can be attached to the sea-anchor.
- (g.) An airtight receptacle containing one kilogramme (equivalent to two pounds) of provisions for each person.
- (h.) A watertight receptacle provided with a dipper with lanyard containing one litre (equivalent to one quart) of fresh water for each person.
- (i.) At least one dozen self-igniting red lights and a box of matches in watertight containers.

4. In the case of a ship which is engaged in short international voyages, the Administration may exempt the boats from carrying the equipment specified under sub-paragraphs (f), (l) and (o) of paragraph 1 and from the requirements of paragraph 2, and may also exempt the life rafts from carrying the equipment specified in paragraph 3 (g).

REGULATION XXXVII.

Stowage and Handling of Boats and Life Rafts.

1. Subject to the conditions of Regulation XXXVIII, the lifeboats may be stowed one above the other, or they may, subject to such conditions as the Administration may impose, be fitted one within another, but where boats so fitted require lifting before being launched they shall only be permitted if mechanical power appliances for lifting are provided.

2. Lorsque le nombre d'embarcations est supérieur à 13, une d'elles sera à moteur, et si le nombre est supérieur à 19 il doit y avoir deux embarcations à moteur. Ces embarcations à moteur doivent être munies d'une installation radiotélégraphique et d'un projecteur.

Les conditions de portée et de puissance auxquelles doit satisfaire l'installation radiotélégraphique doivent être déterminées par chaque Administration.

Le projecteur doit être constitué par une lampe d'au moins 80 watts, un réflecteur efficace et une source d'électricité permettant d'éclairer effectivement un objet de couleur claire sur une zone d'environ 18 mètres (60 pieds) de largeur, à une distance de 180 mètres (200 yards) pendant une durée totale de six heures, et en fonctionnant sans interruption pendant au moins trois heures.

Lorsque l'installation radiotélégraphique et le projecteur sont alimentés par la même source, celle-ci doit être assez puissante pour assurer le fonctionnement simultané des deux appareils.

3. L'armement normal de tout radeau de sauvetage approuvé contient:

- (a) quatre avirons;
- (b) cinq tolets;
- (c) un signal pyrotechnique de bouée de sauvetage;
- (d) une ancre flottante;
- (e) une bosse;
- (f) un récipient contenant: quatre litres et demi (1 gallon anglais) d'huile végétale ou animale; le récipient doit être disposé de façon à permettre de répandre aisément l'huile sur l'eau et construit de manière à pouvoir être amarré à l'ancre flottante;
- (g) un récipient étanche à l'air contenant des vivres à raison d'un kilogramme (2 livres anglaises) de vivres par personne;
- (h) un récipient étanche, avec un gobelet fixé par une aiguillette, contenant un litre (un quart anglais) d'eau douce par personne;
- (i) au moins une douzaine de signaux rouges automatiques et une boîte d'allumettes, le tout dans des récipients étanches.

4. Dans le cas d'un navire affecté à des voyages internationaux courts, l'Administration peut dispenser les embarcations de porter l'armement prescrit par les alinéas (f), (l) et (o) du paragraphe 1 et de satisfaire aux prescriptions du paragraphe 2; elle peut aussi dispenser les radeaux de sauvetage de porter l'armement prescrit par l'alinéa (g) du paragraphe 3.

RÈGLE XXXVII.

Installation et Manœuvre des Embarcations et des Radeaux de Sauvetage.

1. Sous réserve des prescriptions de la Règle XXXVIII, les embarcations de sauvetage peuvent être placées l'une au-dessus de l'autre ou elles peuvent, sous certaines conditions que pourra imposer l'Administration, être placées l'une dans l'autre; toutefois, quand des embarcations ainsi disposées doivent être soulevées avant d'être mises à l'eau, on ne les admettra que s'il est prévu un appareil mécanique à moteur pour les soulever.

2. The lifeboats and life rafts additional to boats stowed under boats attached to davits may be stowed across a deck, bridge or poop and so secured that they will have the best chance of floating free of the ship if there is no time to launch them.

3. As large a number as possible of the additional boats referred to in paragraph 2 shall be capable of being launched on either side of the ship by means of approved appliances for transferring them from one side of the deck to the other.

4. Boats may only be stowed on more than one deck on condition that proper measures are taken to prevent boats on a lower deck being fouled by those stowed on a deck above.

5. Boats shall not be placed in the bows of the ship or in any positions in which they would be brought into dangerous proximity to the propellers at the time of launching.

6. Davits shall be of approved form and so disposed on one or more decks that the boats placed under them can be safely lowered without interference from the operation of any other davits.

7. The davits, blocks, falls and all other gear shall be of such strength that the boats can be safely lowered with the full complement of persons and equipment, with the ship listed to 15 degrees either way. The falls shall be long enough to reach the water with the vessel at her lightest seagoing draught and with a list of 15 degrees.

8. The davits shall be fitted with gear of sufficient power to ensure that the boats, fully equipped and manned, but not otherwise loaded with passengers, can be turned out against the maximum list at which the lowering of the boats is possible.

9. The boats attached to the davits shall have the falls ready for service, and means shall be provided for speedily, but not necessarily simultaneously, detaching the boats from the falls.

10. Where more than one boat is served by the same set of davits, if the falls are of rope, separate falls shall be provided to serve each boat, but where wire falls are used with mechanical appliances for recovering them, separate falls need not be provided. The appliances used must be such as to ensure lowering the boats in turn and rapidly.

Where mechanical appliances are fitted for the recovery of the falls efficient hand gear shall also be provided.

11. On short international voyages where the height of the boat deck above the water line when the vessel is at her lightest sea-going draught does not exceed 4.5 metres (15 feet), the requirements as to strength of davits and turning-out gear in sub-paragraphs 7, 8 and 10 shall not apply.

2. Les embarcations de sauvetage et les radeaux de sauvetage mis en complément des embarcations placées sous bossoirs peuvent être arrimés par le travers d'un pont, d'un château ou d'une dunette et assujettis de telle sorte qu'ils aient toute chance de flotter en se libérant du navire, si on n'a pas le temps de les mettre à l'eau.

3. Le plus grand nombre possible des embarcations complémentaires auxquelles s'applique le paragraphe 2 doit pouvoir être mis à l'eau d'un bord quelconque du navire, au moyen de dispositifs approuvés permettant de les transporter d'un bord à l'autre du pont.

4. Les embarcations ne peuvent être placées sur plus d'un pont que si des mesures sont prises pour éviter que les embarcations d'un pont inférieur ne soient avariées par les embarcations placées sur le pont au-dessus.

5. On ne doit pas mettre d'embarcations à l'extrême avant ni dans un emplacement où elles viendraient à une distance dangereuse des propulseurs, au moment de leur mise à l'eau.

6. Les bossoirs doivent être de forme approuvée et disposés sur un ou plusieurs ponts, de telle manière que les embarcations placées au-dessous de chacun d'eux puissent être mises à l'eau avec sécurité sans gêner la manœuvre des autres bossoirs.

7. Les bossoirs, poulies, garants et autres accessoires doivent avoir une résistance suffisante pour permettre de mettre à l'eau, avec sécurité, les embarcations contenant leur complet chargement de personnes et de matériel, même si le navire à une bande de 15 degrés d'un bord quelconque. Les garants doivent être assez longs pour permettre d'atteindre l'eau, le navire étant à son tirant d'eau minimum à la mer et ayant une bande de 15 degrés.

8. Les bossoirs doivent être pourvus d'appareils d'une force suffisante pour permettre de mettre dehors les embarcations, avec leur équipage et leur armement au complet, mais sans passagers, avec la bande contraire la plus forte pour laquelle il sera ensuite possible d'amener l'embarcation à l'eau.

9. Les embarcations attachées aux bossoirs doivent avoir leurs palans prêts à être utilisés et des dispositions doivent être prises pour que les embarcations soient rapidement libérées des palans, sans qu'il soit nécessaire que cette manœuvre soit simultanée pour les deux palans.

10. Lorsque le même jeu de bossoirs sert pour plus d'une embarcation, il doit y avoir des palans distincts pour chaque embarcation si les garants sont en cordage; mais des palans distincts ne sont pas exigés si on emploie des garants métalliques avec un dispositif mécanique pour les rentrer. Les appareils employés doivent permettre de mettre à l'eau les embarcations avec ordre et rapidité.

Lorsqu'un dispositif mécanique est employé pour rentrer les garants, il doit être complété par une commande à main efficace.

11. Dans les voyages internationaux courts, si la hauteur du pont des embarcations au-dessus de la flottaison correspondant au plus faible tirant d'eau du navire à la mer ne dépasse pas quatre mètres cinquante (15 pieds), on n'appliquera pas les prescriptions des paragraphes 7, 8 et 10 ci-dessus.

REGULATION XXXVIII.

Boats, life rafts, etc.,
and davits

Number and Capacity of Boats, Life Rafts, &c., and Davits.

Number and ca-
pacity.

1. A ship shall be provided with sets of davits in accordance with its length as provided in Column A of the Table in Regulation XXXIX, provided that a number of sets of davits greater than the number of boats necessary for the accommodation of all the persons on board shall not be required.

Each set of davits shall have a boat of Class I attached to it. If the lifeboats attached to davits do not provide sufficient accommodation for all the persons on board, additional lifeboats of one of the standard types shall be provided. One additional lifeboat shall, in the first place, be stowed under each of the boats attached to davits. After these have been fitted other boats shall be carried inboard, but an Administration may, if it is of opinion that life rafts will be more readily available and otherwise more satisfactory than these lifeboats in a case of emergency, allow life rafts to be carried provided that the total capacity of the boats on the ship will be at least up to the minimum capacity required by Column C of the Table in Regulation XXXIX.

When in the opinion of the Administration it is neither practicable nor reasonable to place on a ship the number of sets of davits required by Column A of the Table in Regulation XXXIX, the Administration may authorise, under exceptional conditions, a smaller number of sets of davits, provided always that this number shall never be less than the minimum number fixed by Column B of the Table and that the total capacity of the boats on the ship will be at least up to the minimum capacity required by Column C.

2. A ship engaged on short international voyages shall be provided with sets of davits in accordance with its length as provided in Column A of the Table in Regulation XXXIX. Each set of davits shall have a boat of Class I attached to it. If the lifeboats attached to davits do not provide the minimum cubic capacity specified in Column D of the Table in Regulation XXXIX or provide accommodation for all persons on board, additional lifeboats of one of the standard types, approved life rafts or other approved buoyant apparatus shall be provided, and the accommodation thus provided shall be sufficient for all on board.

When in the opinion of the Administration it is neither practicable nor reasonable to place on a ship engaged in short international voyages, the number of sets of davits required by Column A of the Table in Regulation XXXIX, the Administration may authorise, under exceptional conditions, a smaller number of sets of davits, provided always that this number shall never be less than the minimum number fixed by Column B of the Table, and that the total capacity of the boats on the ship will be at least up to the minimum capacity required by Column D.

RÈGLE XXXVIII.

Nombre et Capacité des Embarcations et des Radeaux de Sauvetage, etc. . . . Bossoirs.

1. Tout navire doit avoir un nombre de jeux de bossoirs déterminé d'après sa longueur, par la Colonne A du tableau inséré à la Règle XXXIX, sous réserve qu'il ne sera pas exigé un nombre de jeux de bossoirs supérieur à celui des embarcations nécessaires pour recevoir toutes les personnes présentes à bord.

Sous chaque jeu de bossoirs doit être attachée une embarcation de la Classe I. Si les embarcations de sauvetage attachées aux bossoirs ne fournissent pas une place suffisante pour recevoir toutes les personnes présentes à bord, on doit installer des embarcations additionnelles de l'un des types réglementaires. Tout d'abord une embarcation additionnelle doit être placée sous chacune des embarcations attachées aux bossoirs. Lorsque celles-ci auront été installées, le reste des embarcations sera placé en retrait. Toutefois les diverses Administrations, si elles estiment que les radeaux de sauvetage sont plus rapidement utilisables et par ailleurs plus efficaces que les embarcations de sauvetage, en cas d'urgence, peuvent permettre d'installer des radeaux de sauvetage, pourvu que la capacité totale des embarcations du navire soit au moins égale au minimum fixé par la Colonne C du tableau inséré à la Règle XXXIX.

Lorsque, dans l'opinion d'une Administration, il n'est ni pratiquement possible, ni raisonnable de mettre sur un navire le nombre de jeux de bossoirs exigé par la Colonne A du tableau inséré à la Règle XXXIX, cette Administration peut, dans certains cas exceptionnels, autoriser une réduction du nombre de jeux de bossoirs, pourvu, toutefois, que ce nombre ne soit pas inférieur au nombre réduit fixé par la Colonne B et aussi que la capacité totale des embarcations du navire soit au moins égale au minimum exigé par la Colonne C.

2. Un navire affecté à des voyages internationaux courts doit avoir un nombre de jeux de bossoirs d'après sa longueur, fixé par Colonne A du tableau inséré à la Règle XXXIX. Sous chaque jeu de bossoirs doit être attachée une embarcation de la Classe I. Si les embarcations de sauvetage attachées aux bossoirs n'ont pas la capacité minimum exigée par la Colonne D du tableau de la Règle XXXIX, et si elles ne contiennent pas une place pour chaque personne présente à bord, on installera des embarcations de sauvetage complémentaires d'un des types réglementaires, des radeaux de sauvetage approuvés ou d'autres engins flottants approuvés, de façon à ce qu'il y ait ainsi une place suffisante pour toutes les personnes présentes à bord.

Lorsque, dans l'opinion d'une Administration, il n'est ni pratiquement possible, ni raisonnable de mettre sur un navire effectuant des voyages internationaux courts, le nombre de jeux de bossoirs exigé par la Colonne A du tableau inséré à la Règle XXXIX, l'Administration peut, dans certains cas exceptionnels, autoriser une réduction dans le nombre de jeux de bossoirs, pourvu, toutefois, que ce nombre ne soit pas inférieur au nombre réduit exigé par la Colonne B et aussi que la capacité totale des embarcations du navire soit au moins égale au minimum exigé par la Colonne D.

REGULATION XXXIX.

Table relating to davits and lifeboat capacity.

Table relating to davits and lifeboat capacity.

The following table fixes, according to the length of the ship—

- (A.) *The minimum number of sets of davits to be provided to each of which must be attached a boat of Class I in accordance with Regulation XXXVIII above.*
- (B.) *The smaller number of sets of davits which may be authorised exceptionally under Regulation XXXVIII.*
- (C.) *The minimum life-boat capacity required, including the life-boats attached to davits and the additional boats, in accordance with Regulation XXXVIII.*
- (D.) *The minimum life-boat capacity required for a ship engaged in short international voyages.*

Registered Length of the Ship.			(A.) Mini- mum Number of Sets of Davits.	(B.) Smaller Number of Sets of Davits authorised exception- ally.	(C.) Minimum Capac- ity of Lifeboats.		(D.) Minimum Capac- ity of Lifeboats.		
Metres.		Feet.			Cubic Metres	Cubic Feet.	Cubic Metres	Cubic Feet.	
31 and under	37...	100 and under	120	2	2	28	980	11	400
37	" 43...	120	" 140	2	2	35	1,220	17	600
43	" 49...	140	" 160	2	2	44	1,550	24	850
49	" 53...	160	" 175	3	3	53	1,880	33	1,150
53	" 58...	175	" 190	3	3	68	2,390	37	1,300
58	" 63...	190	" 205	4	4	78	2,740	41	1,450
63	" 67...	205	" 220	4	4	94	3,330	45	1,600
67	" 70...	220	" 230	5	4	110	3,900	48	1,700
70	" 75...	230	" 245	5	4	129	4,560	52	1,850
75	" 78...	245	" 255	6	5	144	5,100	60	2,100
78	" 82...	255	" 270	6	5	160	5,640	68	2,400
82	" 87...	270	" 285	7	5	175	6,190	76	2,700
87	" 91...	285	" 300	7	5	196	6,930	85	3,000
91	" 96...	300	" 315	8	6	214	7,550	94	3,300
96	" 101...	315	" 330	8	6	235	8,290	105	3,700
101	" 107...	330	" 350	9	7	255	9,000	116	4,100
107	" 113...	350	" 370	9	7	273	9,630	125	4,400
113	" 119...	370	" 390	10	7	301	10,650	133	4,700
119	" 125...	390	" 410	10	7	331	11,700	144	5,100
125	" 133...	410	" 435	12	9	370	13,060	156	5,500
133	" 140...	435	" 460	12	9	408	14,430	170	6,000
140	" 149...	460	" 490	14	10	451	15,920	185	6,550
149	" 159...	490	" 520	14	10	490	17,310	201	7,100
159	" 168...	520	" 550	16	12	530	18,720	217	7,650
168	" 177...	550	" 580	16	12	576	20,350		
177	" 186...	580	" 610	18	13	620	21,900		
186	" 195...	610	" 640	18	13	671	23,700		
195	" 204...	640	" 670	20	14	717	25,350		
204	" 213...	670	" 700	20	14	766	27,050		
213	" 223...	700	" 730	22	15	808	28,560		
223	" 232...	730	" 760	22	15	854	30,180		
232	" 241...	760	" 790	24	17	908	32,100		
241	" 250...	790	" 820	24	17	972	34,350		
250	" 261...	820	" 855	26	18	1,031	36,450		
261	" 271...	855	" 890	26	18	1,097	38,750		
271	" 282...	890	" 925	28	19	1,160	41,000		
282	" 293...	925	" 960	28	19	1,242	43,880		
293	" 303...	960	" 995	30	20	1,312	46,350		
303	" 314...	995	" 1,030	30	20	1,380	48,750		

Note on (A) and (B).—When the length of the ship exceeds 314 metres (equivalent to 1,030 feet) the Administration shall determine the minimum number of sets of davits for that ship; full particulars of its decision shall be communicated to the other Administrations.

Note on (C) and (D).—For the purposes of this table the capacity of a boat of Class II is obtained by multiplying the number of persons for which the boat is certified by 0.283 to obtain the capacity in cubic metres and by 10 to obtain the capacity in cubic feet.

Note on (D).—When the length of a ship is under 31 metres (equivalent to 100 feet) or over 168 metres (equivalent to 550 feet) the cubic capacity of the lifeboats shall be prescribed by the Administration.

RÈGLE XXXIX.

Tableau relatif aux Bossoirs et à la Capacité des Embarcations de sauvetage.

Le Tableau ci-après fixe, d'après la longueur du navire:

- (A.) le nombre minimum de jeux de bossoirs à installer et sous chacun desquels doit être attachée une embarcation de la Classe I conformément à la Règle XXXVIII ci-dessus;
 (B.) le nombre réduit de jeux de bossoirs qui peut être admis exceptionnellement, conformément à la Règle XXXVIII;
 (C.) la capacité minimum requise pour les embarcations de sauvetage comprenant les embarcations sous bossoirs et les embarcations additionnelles, conformément à la Règle XXXVIII;
 (D.) la capacité minimum requise pour les embarcations de sauvetage sur un navire effectuant des voyages internationaux courts.

Longueur enregistrée du Navire.		(A.) Nombre minimum de Jeux de Bos- soirs.	(B.) Nombre réduit de Jeux de Bossoirs qui peut être admis exception- nellement.	(C.) Capacité mini- mum des Em- barcations de Sauvetage.		(D.) Capacité mini- mum des Em- barcations de Sauvetage.	
Mètres.	Pieds anglais.			Mètres Cubes.	Pieds cubes anglais.	Mètres Cubes	Pieds cubes anglais.
31 {et au-des- sous de } 37 .	100 {et au-des- sous de } 120	2	2	28	980	11	400
37 " 43 . . .	120 " 140	2	2	35	1,220	17	600
43 " 49 . . .	140 " 160	2	2	44	1,550	24	850
49 " 53 . . .	160 " 175	3	3	53	1,880	33	1,150
53 " 58 . . .	175 " 190	3	3	68	2,390	37	1,300
58 " 63 . . .	190 " 205	4	4	78	2,740	41	1,450
63 " 67 . . .	205 " 220	4	4	94	3,330	45	1,600
67 " 70 . . .	220 " 230	5	4	110	3,900	48	1,700
70 " 75 . . .	230 " 245	5	4	129	4,560	52	1,850
75 " 78 . . .	245 " 255	6	5	144	5,100	60	2,100
78 " 82 . . .	255 " 270	6	5	160	5,640	68	2,400
82 " 87 . . .	270 " 285	7	5	175	6,190	76	2,700
87 " 91 . . .	285 " 300	7	5	196	6,930	85	3,000
91 " 96 . . .	300 " 315	8	6	214	7,550	94	3,300
96 " 101 . .	315 " 330	8	6	235	8,290	105	3,700
101 " 107 .	330 " 350	9	7	255	9,000	116	4,100
107 " 113 .	350 " 370	9	7	273	9,630	125	4,400
113 " 119 .	370 " 390	10	7	301	10,650	133	4,700
119 " 126 .	390 " 410	10	7	331	11,700	144	5,100
125 " 133 .	410 " 435	12	9	370	13,080	156	5,500
133 " 140 .	435 " 460	12	9	408	14,430	170	6,000
140 " 149 .	460 " 490	14	10	451	15,920	185	6,550
149 " 159 . .	490 " 520	14	10	490	17,310	201	7,100
159 " 168 .	520 " 550	16	12	530	18,720	217	7,650
168 " 177 .	550 " 580	16	12	576	20,350		
177 " 186 . .	580 " 610	18	13	620	21,900		
186 " 195 . .	610 " 640	18	13	671	23,700		
195 " 204 .	640 " 670	20	14	717	25,350		
204 " 213 .	670 " 700	20	14	766	27,050		
213 " 223 .	700 " 730	22	15	808	28,580		
223 " 232 .	730 " 760	22	15	854	30,180		
232 " 241 . .	760 " 790	24	17	908	32,100		
241 " 250 .	790 " 820	24	17	972	34,350		
250 " 261 . .	820 " 855	26	18	1,031	36,450		
261 " 271 . .	855 " 890	26	18	1,097	38,750		
271 " 282 . .	890 " 925	28	19	1,160	41,000		
282 " 293 . .	925 " 960	28	19	1,242	43,880		
293 " 303 . .	960 " 995	30	20	1,312	46,350		
303 " 314 .	995 " 1,030	30	20	1,380	48,750		

Note sur (A) et (B).—Lorsque la longueur du navire dépasse 314 mètres (équivalent à 1,030 pieds anglais) l'Administration doit déterminer le nombre de jeux de bossoirs que ledit navire doit recevoir. Copie de la décision doit être donnée aux autres Administrations.

Note sur (C) et (D).—Pour l'application de ce Tableau la capacité d'une embarcation de la Classe II s'obtient en multipliant le nombre de personnes pour lequel l'embarcation est certifiée par 0,283 pour obtenir la capacité en mètres cubes et par 10 pour obtenir la capacité en pieds cubes.

Note sur (D).—Lorsque la longueur du navire est au-dessous de 31 mètres (équivalent à 100 pieds) ou qu'elle dépasse 168 mètres (équivalent à 550 pieds) la capacité cubique des embarcations de sauvetage doit être déterminée par l'Administration.

REGULATION XL.

Life-Jackets and Life-Buoys.

Life-jackets and life-buoys

- 1. A life-jacket shall satisfy the following requirements:—
 - (a.) It shall be constructed with proper workmanship and materials.
 - (b.) It shall be capable of supporting in fresh water for 24 hours 7.5 kilogrammes of iron (equivalent to 16½ pounds);
 - (c.) It shall be reversible.

Life-jackets the buoyancy of which depends on air compartments are prohibited.

- 2. A lifebuoy shall satisfy the following requirements:—
 - (a.) It shall be of solid cork or any other equivalent material;
 - (b.) It shall be capable of supporting in fresh water for 24 hours at least 14.5 kilogrammes (equivalent to 32 pounds) of iron.

Life-buoys filled with rushes, cork shavings or granulated cork, or any other loose granulated material, or whose buoyancy depends upon air compartments which require to be inflated, are prohibited.

- 3. The minimum number of life-buoys with which ships are to be provided is fixed by the following table:—

Length of the Ship.		Minimum Number of Buoys.
Metres.	Equivalent in Feet.	
Under 61	Under 200	8
61 and under 122	200 and under 400	12
122 and under 183	400 and under 600	18
183 and under 244	600 and under 800	24
244 and over	800 and over	30

- 4. All the buoys shall be fitted with beackets securely seized. At least one buoy on each side shall be fitted with a life-line of at least 27.5 metres (15 fathoms) in length. Not less than one-half of the total number of life-buoys, and in no case less than six, shall be provided with efficient self-igniting lights which cannot be extinguished in water, and these shall be kept near the buoys to which they belong, with the necessary means of attachment.

- 5. All the life-buoys and life-jackets shall be so placed as to be readily accessible to the persons on board; their position shall be plainly indicated so as to be known to the persons concerned.

The life-buoys shall always be capable of being rapidly cast loose and shall not be permanently secured in any way.

RÈGLE XL.

Brassières de Sauvetage et Bouées de Sauvetage.

1. Une brassière de sauvetage doit remplir les conditions suivantes:

- (a) être de matière et de construction approuvées;
- (b) être capable de soutenir en eau douce, pendant vingt-quatre heures, sans couler, un poids de fer de 7 kilogrammes 500 (16,5 livres anglaises);
- (c) êtreversible.

Sont prohibées les brassières dont la flottabilité est assurée au moyen de compartiments à air.

2. Une bouée de sauvetage doit remplir les conditions suivantes:

- (a) être, soit en liège massif, soit en toute autre matière équivalente;
- (b) être capable de soutenir en eau douce, pendant vingt-quatre heures, sans couler, un poids de fer d'au moins 14,5 kilogrammes (32 livres anglaises).

Sont prohibées les bouées de sauvetage dont le remplissage est constitué par du jonc, du liège en copeaux ou en grains, ou par toute autre substance à l'état de déchets et sans cohésion propre ainsi que les bouées dont la flottabilité est assurée au moyen de compartiments à air nécessitant une insufflation préalable.

3. Le nombre minimum de bouées de sauvetage dont doivent être munis les navires est fixé par le tableau suivant:

Longueur du navire.		Nombre minimum de bouées.
Mètres.	Pieds anglais.	
Au-dessous de 61	Au-dessous de 200	8
61 et au-dessous de 122 . . .	200 et au-dessous de 400 . . .	12
122 et au-dessous de 183 . . .	400 et au-dessous de 600 . . .	18
183 et au-dessous de 244 . . .	600 et au-dessous de 800 . . .	24
244 et au-dessus	800 et au-dessus	30

4. Toutes les bouées doivent être pourvues de guirlandes solidement amarrées. Il doit y avoir une bouée au moins, de chaque bord, qui soit pourvue d'une ligne de sauvetage longue de 27 m. 50 (15 brasses) au moins. Le nombre des bouées de sauvetage lumineuses ne doit pas être inférieur à la moitié du nombre total des bouées de sauvetage et ne doit en aucun cas descendre au-dessous de six. Les fusées correspondantes doivent être automatiques, efficaces, et ne doivent pas s'éteindre dans l'eau; elles doivent être disposées au voisinage de leurs bouées, avec les organes de fixation nécessaires.

5. Toutes les brassières et bouées de sauvetage doivent être installées à bord de façon à être à portée immédiate de toutes les personnes embarquées; leur position doit être nettement indiquée de manière à être connue des intéressés.

Les bouées de sauvetage doivent pouvoir toujours être larguées instantanément et ne comporter aucun dispositif de fixation permanente.

REGULATION XLI.

Certificated Lifeboatmen.

Certificated
boatmen.
Ante, p. 1144.

In order to obtain the special lifeboatman's certificate provided for in Article 22 of the present Convention, the applicant must prove that he has been trained in all the operations connected with launching life-boats and the use of oars; that he is acquainted with the practical handling of the boats themselves; and, further, that he is capable of understanding and answering the orders relative to lifeboat service.

There shall be for each boat or life-raft a number of lifeboatmen at least equal to that specified in the following table:—

If the Prescribed Complement is—	The Minimum Number of Certificated Lifeboatmen shall be—
Less than 41 persons	2
From 41 to 61 persons	3
From 62 to 85 persons	4
Above 85 persons	5

REGULATION XLII.

Manning of Boats.

Manning of boats

A deck officer or certificated lifeboatman shall be placed in charge of each boat or life-raft and a second in command shall also be nominated. The person in charge shall have a list of its crew, and shall see that the men placed under his orders are acquainted with their several duties.

A man capable of working the motor shall be assigned to each motor boat.

A man capable of working the wireless and searchlight installations shall be assigned to boats carrying this equipment.

The duty of seeing that the boats, life-rafts and buoyant apparatus and other lifesaving apparatus are at all times ready for use shall be assigned to one or more officers.

REGULATION XLIII.

Fire Detection and Extinction.

Fire detection and
extinction.

1. An efficient patrol system shall be maintained, so that any outbreak of fire may be promptly detected. In addition, a fire alarm or fire detecting system shall be provided, which will automatically indicate or register at one or more points or stations, where it can be most quickly observed by officers and crew, the presence or indication of fire in any part of the ship not accessible to the patrol system.

RÈGLE XLI.

Canotiers brevetés.

Pour obtenir le brevet spécial de canotier prévu à l'Article 22 de la présente Convention, le postulant doit justifier qu'il est exercé dans la manœuvre complète de mise à l'eau des embarcations de sauvetage et dans le maniement des avirons; qu'il possède la connaissance et la pratique de la manœuvre des embarcations elles-mêmes; et qu'il est, en outre, capable de comprendre les ordres relatifs au service de ces divers engins et de répondre à ces ordres.

Il doit y avoir pour chaque embarcation ou radeau de sauvetage un nombre de canotiers au moins égal à celui qui est prévu au tableau ci-dessous:

Si le nombre de personnes est:	Le nombre minimum de canotiers brevetés doit être de:
Moins de 41 personnes	2
De 41 à 61 personnes	3
De 62 à 85 personnes	4
Au-dessus de 85 personnes	5

RÈGLE XLII.

Personnel des Embarcations de Sauvetage.

Un officier de pont ou un canotier breveté doit être chargé de chaque embarcation ou radeau de sauvetage et il lui sera également désigné un suppléant. Celui qui est chargé d'une embarcation doit avoir la liste de son personnel et s'assurer que les hommes placés sous ses ordres connaissent respectivement leurs postes et leurs fonctions.

A toute embarcation à moteur doit être affecté un homme sachant conduire le moteur.

Un homme sachant se servir d'une installation radiotélégraphique et d'un projecteur doit être affecté à chaque embarcation comportant ces appareils.

Un ou plusieurs officiers doivent être chargés de veiller à ce que les embarcations, radeaux de sauvetage, engins flottants et autres engins de sauvetage soient toujours prêts à être utilisés.

RÈGLE XLIII.

Découverte et Extinction de l'Incendie.

1. Un service effectif de ronde doit être organisé de telle manière que tout commencement d'incendie soit promptement découvert. En outre, un système d'avertisseurs d'incendie ou de détecteurs d'incendie doit être installé, pour indiquer ou enregistrer automatiquement dans un ou plusieurs points ou stations où ces indications peuvent être rapidement observées par les officiers et l'équipage, l'existence ou l'indication d'un incendie dans toutes les parties du navire inaccessibles au service de ronde.

2. Every ship shall be provided with powerful pumps, operated by steam or other means. On ships of less than 4,000 tons gross there shall be two, and on larger ships three of these pumps. Each of the pumps shall be capable of delivering a sufficient quantity of water in two powerful jets simultaneously in any given part of the ship, and shall be available for immediate use before the ship leaves port.

3. The service pipes shall permit of two powerful jets of water being simultaneously directed on any given part of a deck occupied by passengers and crew, when the watertight and fire-resisting doors are closed. The service pipes and hoses shall be of ample size and made of suitable material. The branches of the pipes shall be so placed on each deck that the fire hose can be easily coupled to them.

4. Provision shall be made whereby at least two powerful jets of water can be rapidly and simultaneously directed into any space containing cargo. In addition, arrangements shall be made whereby smothering gas sufficient to give a minimum volume of free gas equal to 30 per cent. of the gross volume of the largest hold in the ship can be promptly conveyed by a permanent piping system into each compartment in which cargo is carried. Steam in adequately equivalent proportion may be accepted in place of smothering gas on steam-driven ships. Provision for the supply of smothering gas or steam need not be required in ships of less than 1,000 tons gross.

5. A sufficient number of portable fluid fire extinguishers shall be provided, at least two being carried in each machinery space.

6. Two equipments, consisting of a smoke helmet or breathing apparatus and a safety lamp, shall be carried on board, and kept in two widely separated places.

7. In steamships in which the main boilers are oil fired, there shall be provided in addition to means whereby two powerful jets of water may be rapidly and simultaneously directed into any part of the machinery spaces—

(a.) Suitable conductors for spraying water on oil without undue disturbance of the surface.

(b.) In each firing space, a receptacle containing 283 cubic decimetres (10 cubic feet) of sand, sawdust impregnated with soda, or other approved dry materials, and scoops for distributing the same.

(c.) In each boiler room, and in each of the machinery spaces in which a part of the oil fuel installation is situated, two approved portable extinguishers of a type discharging froth or other approved medium suitable for quenching oil fires.

2. Chaque navire doit disposer de pompes à incendie puissantes mues par la vapeur ou par toute autre énergie. Ces pompes sont au nombre de deux pour les navires de moins de quatre mille tonneaux de jauge brute, et de trois pour les navires plus grands. Elles doivent être assez puissantes pour débiter chacune une quantité d'eau suffisante par deux jets énergiques simultanés en un point quelconque du navire. Elles doivent être mises, avant l'appareillage, en état de fonctionner sans délai.

3. Les tuyautages d'incendie doivent permettre de diriger rapidement deux jets d'eau énergiques simultanés dans une région quelconque d'un entrepont habité dont les portes étanches et les portes contre l'incendie sont fermées. Les manches à incendie et les tuyautages doivent être largement proportionnés et faits de matières convenables. Les raccords de tuyautages doivent être dans chaque entrepont installés de telle manière que les manches puissent s'y adapter facilement.

4. Dans tout espace occupé par le chargement, on doit pouvoir diriger rapidement et simultanément au moins deux jets d'eau puissants. En outre, des dispositions doivent être prises pour amener rapidement par un tuyautage fixe, dans chaque compartiment occupé par des marchandises, un gaz extincteur en quantité telle que le volume de gaz libre soit au moins égal à trente pour cent du volume de la plus grande cale du navire. Sur les navires à vapeur, on peut accepter de la vapeur en quantité équivalente. L'installation pour l'extinction par le gaz ou la vapeur n'est pas obligatoire sur les navires de moins de 1,000 tonneaux de jauge brute.

5. Des extincteurs d'incendie portatifs d'un type à fluide doivent être prévus en nombre convenable. Chaque compartiment de la tranche des machines doit en recevoir au moins deux.

6. Il doit y avoir à bord deux équipements composés chacun d'un casque ou d'un appareil respiratoire et d'un fanal de sûreté. Ils doivent être déposés en deux endroits différents.

7. Sur les navires à vapeur dans lesquels les chaudières principales sont chauffées au combustible liquide, en outre de dispositifs permettant d'amener rapidement et simultanément deux jets d'eau puissants en tout point de la tranche des machines, on doit installer:

(a) des distributeurs convenables pour projeter de l'eau en pluie sur le combustible liquide sans agitation anormale de la surface;

(b) dans chaque rue de chauffe, un récipient contenant 283 décimètres cubes (10 pieds cubes) de sable, de sciure de bois imprégnée de soude, de toute autre matière sèche approuvée et des écopés pour la répandre;

(c) dans chaque chaufferie et dans tout local de machines où se trouve une partie de l'installation de combustible liquide, deux extincteurs portatifs d'un type distributeur de mousse ou d'un autre agent approuvé efficace pour éteindre un incendie de combustible liquide;

(d.) Means whereby froth may be rapidly discharged and distributed over the whole of the lower part of the boiler room or of any one boiler room, if there are more than one, or of any machinery space in which oil fuel units or settling tanks are situated. The quantity of froth which can be discharged shall be ample to cover to a depth of 15.24 centimetres (6 inches) the whole area of the plating formed in any one compartment by the inner bottom plating, or by the shell plating of the vessel, if there is no double-bottom tank. If the engine and boiler rooms are not entirely separate, and fuel can drain from the boiler room bilges into the engine room, the combined engine and boiler rooms shall be considered as one compartment. The apparatus shall be operated and controlled from outside the compartment in which the fire may occur.

(e.) In addition to the foregoing, one extinguisher of the froth type of at least 136 litres (30 gallons) capacity in steamships having one boiler room and two such extinguishers in steamships with more than one boiler room. These extinguishers shall be provided with hoses on reels suitable for reaching any part of the boiler rooms and spaces containing oil-fuel pumping units. Equally efficient apparatus may be accepted in place of the 136 litres (30-gallons) extinguishers.

(f.) All containers and valves by which they are operated shall be easily accessible and so placed that they will not readily be cut off from use by an outbreak of fire.

8. In vessels propelled by internal combustion engines there shall be provided in each of the machinery spaces, in addition to means whereby two powerful jets of water may be rapidly and simultaneously directed into any part of the machinery spaces, together with suitable spraying conductors, froth extinguishers as follows:—

(a.) At least one approved 45 litres (10-gallons) extinguisher with an addition of one approved 9 litres (2-gallons) extinguisher for each 1,000 B.H.P. of the engines, but the total number of 9 litres (2-gallons) extinguishers so supplied shall be not less than two and need not exceed six.

(b.) When a donkey boiler is situated in the machinery space there shall be provided, in place of the 45 litres (10-gallons) extinguisher mentioned above, one of 136 litres (30 gallons) capacity, fitted with suitable hose attachments or other approved methods for distributing the froth.

9. In steamships using oil fuel, if the engine and boiler rooms are not entirely separated by a steel bulkhead, and if fuel oil can drain from the boiler-room bilges into the engine room, one of the fire pumps shall be situated in the tunnel or other space outside the machinery compartment. When more than two pumps are required they shall not all be fitted in the same space.

(d) des dispositifs pour produire et distribuer rapidement de la mousse sur toute la surface inférieure de la chaufferie ou de chacune des chaufferies, s'il y en a plusieurs, et de toute partie des machines qui renferme des pompes à combustible ou des caisses de décantation. La quantité de mousse à produire doit être suffisante pour couvrir sur une épaisseur de 15,24 centimètres (6 pouces) la surface totale des tôles formant dans un compartiment quelconque le plafond du waterballast, ou de celles du bordé extérieur là où il n'y a pas de waterballast. Si le compartiment des machines et celui des chaudières ne sont pas complètement séparés et si le combustible liquide peut passer de la cale de la chaufferie dans celle des machines, le compartiment des machines et la chaufferie seront considérés comme formant un seul compartiment. L'appareil doit pouvoir être mis en marche et contrôlé de l'extérieur du compartiment où l'incendie peut éclater;

(e) en outre de ce qui précède, il doit y avoir sur les navires à vapeur n'ayant qu'une chaufferie, un extincteur à mousse et sur les navires ayant plus d'une chaufferie, deux extincteurs à mousse d'au moins 136 litres (30 gallons) de capacité. Ces extincteurs doivent être pourvus de tuyaux sur dévidoirs permettant d'atteindre toutes les parties des chaufferies et des locaux contenant les pompes à combustible. Des appareils d'une efficacité équivalente peuvent être acceptés au lieu d'extincteurs de 136 litres (30 gallons);

(f) tous les récipients et les valves qui servent à les mettre en œuvre doivent être aisément accessibles et placés de telle sorte qu'ils ne soient pas facilement rendus inutilisables par un commencement d'incendie.

8. Dans les navires à moteurs à combustion interne, en outre des dispositifs permettant d'amener rapidement et simultanément deux jets d'eau puissants sur tous les points de la tranche des machines et également des distributeurs d'eau en pluie, on doit installer, dans chaque local des machines, les extincteurs à mousse suivants:

(a) au moins un extincteur approuvé de 45 litres (10 gallons), et, en outre, par 1,000 CV de puissance au frein des machines, un extincteur approuvé de 9 litres (2 gallons), sans que le nombre total d'extincteurs de 9 litres puisse être inférieur à deux, ni qu'il en soit exigé plus de six;

(b) lorsqu'il y a dans la tranche des machines, une chaudière auxiliaire au lieu de l'extincteur de 45 litres (10 gallons) mentionné ci-dessus, il doit en être installé un de 136 litres (30 gallons) avec son tuyautage approprié ou tout autre dispositif approuvé de distribution de mousse.

9. Sur les navires à vapeur utilisant le combustible liquide, si la chambre des machines et la chaufferie ne sont pas complètement séparées par une cloison métallique et si le combustible liquide peut passer de la cale de la chaufferie dans celle de la machine, une des pompes à incendie doit être placée dans le tunnel ou dans un autre espace hors de la tranche des machines. S'il est exigé plus de deux pompes à incendie, elles ne doivent pas être placées toutes dans le même local.

10. Where any special type of appliance, extinguishing medium or arrangement is specified, any other type of appliance, &c., may be allowed, provided that it is not less effective than the specified one. For example—a Carbon Dioxide system may be accepted in place of a froth installation (paragraph (7), sub-paragraphs (d) and (e)), provided that the quantity of carbon dioxide carried is sufficient to give a gas saturation of about 25 per cent. for the gross volume of the stokehold to about the top of the boilers.

11. All the fire-extinguishing appliances shall be thoroughly examined at least once each year by a surveyor appointed by the Administration.

REGULATION XLIV.

Muster List.

Muster list.

The muster list shall assign duties to the different members of the crew in connexion with—

- (a.) The closing of the watertight doors, valves, &c.
- (b.) The equipment of the boats, life rafts and buoyant apparatus generally.
- (c.) The launching of the boats attached to davits.
- (d.) The general preparation of the other boats, the life rafts, and buoyant apparatus.
- (e.) The muster of the passengers.
- (f.) The extinction of fire.

The muster list shall assign to the members of the stewards' department their several duties in relation to the passengers at a time of emergency. These duties shall include:—

- (a.) Warning the passengers.
- (b.) Seeing that they are dressed and have put on their life-jackets in a proper manner.
- (c.) Assembling the passengers at muster stations.
- (d.) Keeping order in the passages and on the stairways, and, generally, controlling the movements of the passengers.

The muster list shall specify definite signals for calling all the crew to their boat and fire stations, and shall give full particulars of these signals.

REGULATION XLV.

Musters and Drills.

Musters and drills.

Musters of the crew for boat drill shall take place weekly when practicable, and in vessels in which the voyage exceeds one week, before leaving port. The dates upon which musters are held shall be recorded in the Official Log Book and, if in any week a muster is not held, an entry shall be made stating why a muster was not practicable.

10. Lorsqu'il est spécifié un type spécial d'appareil, d'agent extincteur ou d'installation, tout autre type peut être accepté s'il n'est pas moins efficace que le type spécifié. Par exemple, un appareil à acide carbonique peut être admis au lieu d'une installation à mousse (paragraphe 7, alinéas (d) et (e)), pourvu que la quantité d'acide carbonique transportée soit suffisante pour fournir une saturation de 25 pour cent de gaz pour le volume brut de la chaufferie mesuré jusqu'au sommet des chaudières environ.

11. Toutes les installations pour l'extinction de l'incendie doivent être entièrement visitées une fois par an par un inspecteur désigné par l'Administration.

RÈGLE XLIV.

Rôle d'Appel.

Le rôle d'appel fixe les fonctions des divers membres de l'équipage en ce qui concerne:

- (a) la fermeture des portes étanches, vannes, &c.;
- (b) l'armement des embarcations, des radeaux de sauvetage et des engins flottants en général;
- (c) la mise à l'eau des embarcations sous bossoirs;
- (d) la préparation générale des autres embarcations, des radeaux de sauvetage et des engins flottants;
- (e) le rassemblement des passagers;
- (f) l'extinction de l'incendie.

Le rôle d'appel fixe les fonctions que les agents du service général ont à remplir au regard des passagers, en cas d'alarme. Ces fonctions comprennent notamment:

- (a) l'alerte à donner aux passagers;
- (b) le soin de leur faire revêtir et ajuster convenablement les brassières de sauvetage;
- (c) leur rassemblement aux postes d'appel;
- (d) le service d'ordre aux passages et aux échelles et, d'une façon générale, tout ce qui concerne la circulation des passagers.

Le rôle d'appel prévoit les signaux spéciaux pour l'appel de tout l'équipage aux postes d'embarcations ou d'incendie. Il doit, en outre, contenir une description complète de ces signaux.

RÈGLE XLV.

Appels et Exercices.

Un appel de l'équipage pour exercice d'embarcations doit être fait, autant que possible, chaque semaine et, sur les navires où le voyage dure plus d'une semaine, avant de prendre la mer. Les dates où auront lieu ces exercices seront inscrites au journal de bord réglementaire et si, au cours d'une semaine, aucun exercice n'a eu lieu, les raisons pour lesquelles cet exercice n'était pas possible devront être mentionnées dans ce journal.

In ships in which the voyage exceeds one week practice musters of passengers should be held at an early period of each voyage.

Different groups of boats shall be used in turn at successive boat drills. The drills and inspections shall be so arranged that the crew thoroughly understand and are practised in the duties they have to perform, and that all lifesaving appliances with the gear appertaining to them are always ready for immediate use.

The emergency signal for summoning passengers to muster stations shall be a succession of more than six short blasts followed by one long blast on the whistle or syren. This shall be supplemented on all ships except those engaged in short international voyages by other electrically operated signals throughout the ship controlled from the bridge. The meaning of all signals affecting passengers shall be clearly stated in different languages on cards posted in their cabins and in other passenger quarters.

Safety of Navigation

SAFETY OF NAVIGATION.

REGULATION XLVI.

Transmission of Information.

Transmission of information.

The transmission of information regarding ice, derelicts, tropical storms or any other direct danger to navigation is obligatory. The form in which the information is sent is not obligatory. It may be transmitted either in plain language (preferably English) or by means of the International Code of Signals (Wireless Telegraphy Section). It should be issued CQ to all ships, and should also be sent to the first point of the coast to which communication can be made with a request that it be transmitted to the appropriate authority.

Ante, p. 1160

All messages issued under Article 34 of the present Convention will be preceded by the safety signal TTT followed by an indication of the nature of the danger, thus: TTT Ice; TTT Derelict; TTT Storm; TTT Navigation.

Information Required.

Information required

The following information is desired, the time in all cases being Greenwich Mean Time:—

(a.) Ice, Derelicts and other Direct Dangers to Navigation.

- (1) the kind of ice, derelict or danger observed;
- (2) the position of the ice, derelict or danger when last observed;
- (3) the time and date when the observation was made.

Lorsque le voyage doit durer plus d'une semaine, il devrait être fait un exercice pratique par les passagers, au début du voyage.

Les exercices d'embarcations doivent se faire en employant à tour de rôle les différents groupes d'embarcations. Les inspections et exercices doivent être conduits de manière que l'équipage possède la connaissance complète et la pratique des fonctions qu'il a à remplir et que toutes les embarcations et tous les engins de sauvetage du navire, ainsi que leurs appareils, soient toujours prêts à être utilisés immédiatement.

Le signal d'appel pour appeler les passagers aux postes d'appel consistera en une succession d'au moins six coups courts, suivis d'un coup long, de la sirène ou du sifflet. En outre, sur tous les navires autres que ceux qui effectuent des voyages internationaux courts, on doit faire dans tout le navire des signaux commandés électriquement de la passerelle. La signification de tous les signaux intéressant les passagers doit être clairement indiquée en plusieurs langues sur des pancartes affichées dans les cabines et autres locaux pour passagers.

SÉCURITÉ DE LA NAVIGATION.

RÈGLE XLVI.

Transmission de Renseignements.

La transmission de renseignements concernant les glaces, épaves, tempêtes tropicales ou tout autre danger immédiat pour la navigation est obligatoire. Aucune forme spéciale de transmission n'est imposée. L'information peut être transmise soit en langage clair (de préférence en anglais), soit au moyen du Code international de Signaux (signaux radiotélégraphiques). Elle devrait être transmise, précédée de CQ à tous des navires et devrait être également envoyée au premier point de la côté où la communication peut se faire avec prière de transmettre à l'autorité compétente.

Tous les messages transmis en vertu de l'Article 34 de la présente Convention seront précédés du signal de sécurité TTT suivi d'une indication sur la nature du danger, par exemple: TTT Glace; TTT Épaves; TTT Tempête; TTT Navigation.

Information requise.

Les renseignements à fournir sont les suivants, l'heure, étant, dans tous les cas, l'heure moyenne de Greenwich:

(a.) *Glaces, Épaves et autres Dangers immédiats pour la Navigation.*

- (1) la nature de la glace, de l'épave ou du danger observés;
- (2) la position de la glace, de l'épave ou du danger observés en dernier lieu;
- (3) la date et l'heure où l'observation a été faite.

(b.) *Tropical Storms*.—(Hurricanes in the West Indies, Typhoons in the China Seas, Cyclones in Indian waters, and storms of a similar nature in other regions.)

- (1.) *A Statement that a Tropical Storm has been Encountered*.—This obligation should be interpreted in a broad spirit, and information transmitted whenever the master has good reason to believe that a tropical storm exists in his neighbourhood.
- (2.) *Meteorological Information*.—In view of the great assistance given by accurate meteorological data in fixing the position and movement of storm centres, each shipmaster should add to his warning message as much of the following meteorological information as he finds practicable:—

- (a) barometric pressure (millibars, inches or millimetres);
- (b) change in barometric pressure (the change during the previous two to four hours);
- (c) wind direction (true not magnetic);
- (d) wind force (Beaufort or decimal scale);
- (e) state of the sea (smooth, moderate, rough, high);
- (f) swell (slight, medium, heavy) and the direction from which it comes.

When barometric pressure is given the word "millibars," "inches" or "millimetres," as the case may be, should be added to the reading, and it should always be stated whether the reading is corrected or uncorrected.

When changes of the barometer are reported the course and speed of the ship should also be given.

All directions should be true, not magnetic.

- (3.) *Time and Date and Position of the Ship*.—These should be for the time and position when the meteorological observations reported were made and not when the message was prepared or despatched. The time used in all cases should be Greenwich Mean Time.
- (4.) *Subsequent Observations*.—When a master has reported a tropical storm it is desirable, but not obligatory, that other observations be made and transmitted at intervals of three hours, so long as the ship remains under the influence of the storm.

Examples.

Examples.

Ice.

Ice.

TTT Ice. Large berg sighted in 4605 N., 4410 W., at 0800 GMT.
May 15.

(b.) *Tempêtes tropicales.*—(Ouragans aux Antilles, typhons dans les mers de Chine, cyclones dans l'Océan Indien et tempêtes de même nature dans les autres régions.)

(1.) *Messages signalant qu'une tempête tropicale a été rencontrée.*—Cette obligation doit être comprise dans un esprit large et l'information devrait être transmise toutes les fois que le capitaine a lieu de croire qu'une tempête tropicale sévit dans son voisinage.

(2.) *Renseignements météorologiques.*—Vu l'aide précieuse qu'assurent les renseignements météorologiques exacts en déterminant la position et le mouvement des centres de tempête, tout capitaine de navire devrait ajouter à son message d'avertissement le plus de renseignements météorologiques qu'il lui sera possible parmi les suivants:

- (a) pression barométrique (millibars, pouces anglais ou millimètres);
- (b) changement dans la pression barométrique (le changement survenu pendant la période de deux à quatre heures qui précède);
- (c) direction du vent (vraie et non magnétique);
- (d) force du vent (échelle Beaufort, ou échelle décimale);
- (e) état de la mer (calme, modérée, forte, démontée);
- (f) houle (modérée, moyenne, forte) et la direction d'où elle vient.

Lorsque la pression barométrique est indiquée, les mots "millibars, pouces anglais, ou millimètres," suivant le cas, devraient être ajoutés à la lecture faite et *il y aurait lieu de toujours indiquer si la lecture est corrigée ou non.*

Lorsque des variations barométriques sont signalées, la route et la vitesse du navire devraient toujours être indiquées.

Tous les caps indiqués doivent être vrais et non magnétiques.

(3.) *Heure, date et position du navire.*—Ces renseignements doivent s'appliquer à l'heure et à la position où les observations météorologiques ont été prises et non à celle où le message a été préparé ou expédié. Dans tous les cas, l'heure doit être l'heure moyenne de Greenwich.

(4.) *Observations ultérieures.*—Lorsqu'un capitaine a signalé une tempête tropicale, il est souhaitable mais non obligatoire de relever d'autres observations et de les transmettre à des intervalles de trois heures tant que le navire reste sous l'influence de la tempête.

Exemples.

Glace.

TTT Glace. Grand iceberg aperçu à 4605 N., 4410 W., à 0800 GMT. 15 mai.

Épave.

TTT Épave. Epave observée presque submergée à 4006 N., 1243 W., à 1630 GMT. 21 avril.

Danger pour la Navigation.

TTT Navigation. Bateau phare Alpha pas à son poste 1800 GMT. 3 janvier.

Tempête tropicale.

TTT Tempête. Subissons tempête tropicale. Baromètre corrigé 994 millibars, baisse rapidement. Vent NW, force 9 Beaufort, forts grains. Houle E. Route ENE., 5 nœuds, 2204 N., 11354 E., 0030 GMT. 18 août.

TTT Tempête. Les apparences indiquent l'approche d'un ouragan. Baromètre corrigé; 29.64 pouces en baisse. Vent NE., force 8 Beaufort. Houle moyenne du NE. Grains de pluie fréquents. Route 35 degrés, 9 nœuds. 2200 N., 7236 W. 1300 GMT. 14 septembre.

TTT Tempête. Les conditions indiquent la formation d'un cyclone intense. Vent S. $\frac{1}{4}$ SW., force 5 Beaufort, Baromètre non corrigé 753 m/m a baissé de 5 m/m pendant les trois dernières heures. Route N. 60 W., 8 nœuds. 1620 N., 9302 E. 0200 GMT. 4 mai.

TTT Tempête. Typhon dans le SE. Le vent augmente du nord et le baromètre baisse rapidement. Position 1812 N., 12605 E., 0300 GMT. 12 juin.

CERTIFICATS.

RÈGLE XLVII.

Modèle de Certificat de Sécurité pour Navire à Passagers.

CERTIFICAT DE SÉCURITÉ.

(Cachet officiel.)

(Nationalité.)

pour $\frac{\text{un}}{\text{un court}}$ voyage international.

Délivré en vertu des dispositions de la

CONVENTION INTERNATIONALE POUR LA SAUVEGARDE DE LA VIE HUMAINE EN MER, 1929.

Nom du Navire.	Numéro ou Lettres distinctifs du Navire.	Port d'Immatriculation.	Tonnage brut.

Le Gouvernement

(Nom) certifie

Je, soussigné,

(Nom) certifie

I. Que le navire susvisé a été dûment visité conformément aux dispositions de la Convention internationale précitée.

11. Qu'à la suite de cette visite, il a été constaté que le navire satisfait aux prescriptions de ladite Convention en ce qui concerne:

- (1) la coque, les machines et les chaudières principales et auxiliaires;
- (2) les dispositions et les détails relatifs au compartimentage étanche;
- (3) les lignes de charge de compartimentage.

Lignes de Charges de Compartimentage déterminées et marquées sur la Muraille au milieu du Navire. (Article 5 de la Convention)	Franco-bord.	A utiliser quand les Espaces affectés aux Passagers comprennent les Volumes suivants pouvant être occupés soit par des Passagers soit par des Marchandises .
C. 1		
C. 2		
C. 3		

(4.) les embarcations, radeaux de sauvetage et engins de sauvetage qui sont suffisants pour un nombre total maximum de personnes (équipage et passagers), à savoir:

- embarcations susceptibles de recevoir personnes.
- radeaux de sauvetage susceptibles de recevoir personnes.
- engins flottants susceptibles de supporter personnes.
- bouées de sauvetage.
- brassières de sauvetage.
- canotiers brevetés.

(5.) Les installations radiotélégraphiques:

—	Prescriptions des Articles de ladite Convention.	Dispositions réalisées à bord.
Heures d'écoute.....
Y a-t-il un appareil auto-alarme approuvé?.....
Y a-t-il une installation de secours indépendante?.....
Nombre minimum d'opérateurs.....
Opérateurs supplémentaires ou écouteurs.....
Y a-t-il un radiogoniomètre?.....

III. Que le navire répond à toutes les autres prescriptions de ladite convention dans la mesure où elles lui sont applicables.

Ce certificat est délivré au nom du Gouvernement Il est valable jusqu'au 19 .

Délivré à le 19 .
(Placer ici le cachet ou la signature de l'autorité chargée de la délivrance de ce certificat.)

(Cachet.)

Si ce document est signé, le paragraphe suivant est ajouté:—
Le soussigné déclare qu'il est dûment autorisé par ledit Gouvernement à délivrer le présent certificat.

(Signature.)

Safety radiotelegraphy certificate.

Form of Safety Radiotelegraphy Certificate.

SAFETY RADIOTELEGRAPHY CERTIFICATE.

Form.

(Official Seal.)

(Country.)

Issued under the provisions of the
INTERNATIONAL CONVENTION FOR SAFETY OF LIFE AT SEA, 1929.

Name of Ship.	Distinctive Number or Letters	Port of Registry.	Gross Tonnage.

The
I, the undersigned,

(Name) Government certify
(Name) certify

That the above-mentioned ship complies with the provisions of the International Convention referred to above as regards Radiotelegraphy:—

	Requirements of Articles of the said Convention.	Actual Provision.
Hours of watch		
Whether approved auto-alarm fitted		
Whether separate emergency installation fitted		
Minimum number of operators		
Additional operators or watchers		
Whether direction-finding apparatus fitted		

This certificate is issued under the authority of the Government.
It will remain in force until
Issued at the day of
Here follows the seal or signature of the authority entitled to issue this certificate.
(Seal.)

If signed, the following paragraph is to be added—
The undersigned declares that he is duly authorised by the said Government to issue this certificate.
(Signature.)

Modèle de Certificat de Sécurité radiotélégraphique.

CERTIFICAT DE SÉCURITÉ RADIOTÉLÉGRAPHIQUE.

(Cachet officiel.)

(Nationalité.)

Délivré en vertu des dispositions de la

CONVENTION INTERNATIONALE POUR LA SAUVEGARDE DE LA
VIE HUMAINE EN MER, 1929.

Nom du Navire	Numéro ou Lettres distinctifs du Navire.	Port d'Immatriculation.	Tonnage brut.

Le Gouvernement

(Nom) certifie

Je, soussigné,

(Nom) certifie

I. Que le navire susvisé satisfait aux prescriptions de la Convention interna-
tionale précitée en ce qui concerne la Radiotélégraphie:—

	Prescriptions des Articles de ladite Convention.	Dispositions réalisées à bord.
Heures de veille.....
Y a-t-il un appareil auto-alarme approuvé?
Y a-t-il une installation de secours indépendante?.....
Nombre minimum d'opérateurs
Opérateurs supplémentaires ou écou- teurs.....
Y a-t-il un radiogoniomètre?.....

Ce certificat est délivré au nom du Gouvernement Il est
valable jusqu'au

Délivré à le 19 ..

(Placer ici le cachet ou la signature de l'autorité chargée de délivrer ce certificat.)

(Cachet.)

Si le document est signé, le paragraphe suivant est ajouté:

Le soussigné déclare qu'il est dûment autorisé par ledit Gouvernement à
délivrer ce certificat.

(Signature.)

Exemption certifi-
cate

Form of Exemption Certificate.

EXEMPTION CERTIFICATE.

Form.

(Official Seal.)

(Country.)

Issued under the provisions of the .

INTERNATIONAL CONVENTION FOR SAFETY OF LIFE AT SEA, 1929.

Name of Ship.	Distinctive Number or Letters.	Port of Registry.	Gross Tonnage.

The (Name) Government certify
I, the undersigned, (Name) certify

That the above-mentioned ship is under the authority conferred by Article of the International Convention referred to above exempted from the requirements of† of the Convention on the voyages to

* Insert here
the conditions,
if any, on which
the exemption
certificate is
granted. }

This certificate is issued under the authority of the Government.
It will remain in force until
Issued at the day of
Here follows the seal or signature of the authority entitled to issue this certificate.
(Seal.)

If signed, the following paragraph is to be added:—
The undersigned declares that he is duly authorised by the said Government to issue this certificate.
(Signature.)

† Insert here references to Articles and Regulations, specifying particular paragraphs. [Footnote in the original.]

*Modèle de Certificat de Dispense.***CERTIFICAT DE DISPENSE.***(Cachet officiel.)**(Nationalité.)*

Délivré en vertu des dispositions prévues par la

**CONVENTION INTERNATIONALE POUR LA SAUVEGARDE DE LA
VIE HUMAINE EN MER, 1929.**

Nom du Navire.	Numéro ou Lettres distinctifs du Navire.	Port d'Immatriculation.	Tonnage brut.

Le Gouvernement(Nom) certifie

Je, soussigné,

(Nom) certifie

Que le navire susvisé est dispensé, en vertu de l'article de la
Convention internationale précitée, des prescriptions de† de la
Convention pour les voyages de à

* Insérer ici } *
les conditions,
s'il en existe,
sous lesquelles
le certificat de
dispense est
accordé.

Ce certificat est délivré au nom du Gouvernement. Il est
valable jusqu'au

Délivré à , le 19

*(Placer ici le cachet ou la signature de l'autorité chargée de délivrer ce certificat.)**(Cachet.)**Si ce document est signé, le paragraphe suivant est ajouté:*

Le soussigné déclare qu'il est dûment autorisé par ledit Gouvernement à
délivrer ce certificat.

(Signature.)

† Insérer ici la référence aux Articles et aux Règles en spécifiant les paragraphes. [Footnotes in the original.]

Annex II.

ANNEX II.

International Regulations for Preventing Collisions at Sea.

INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA.

PRELIMINARY.

Preliminary.

These Rules shall be followed by all vessels upon the high seas and in all waters connected therewith, navigable by sea-going vessels.

In the following Rules every steam vessel which is under sail and not under steam is to be considered a sailing vessel, and every vessel under steam, whether under sail or not, is to be considered a steam vessel.

The words "steam vessel" shall include any vessel propelled by machinery.

The term "under steam" shall mean under any mechanical power.

A vessel is "under way" within the meaning of these Rules when she is not at anchor or made fast to the shore or aground.

The length of a vessel shall be deemed to be the length appearing in her certificate of registry.

Rules concerning lights, etc.

RULES CONCERNING LIGHTS, &c.

The word "visible" in these Rules, when applied to lights, shall mean visible on a dark night with a clear atmosphere.

ARTICLE 1.

The Rules concerning lights shall be complied with in all weathers from sunset to sunrise, and during such time no other lights which may be mistaken for the prescribed lights or impair their visibility shall be exhibited.

ARTICLE 2.

A steam vessel when under way shall carry:—

(a.) On or in front of the foremast, or if a vessel without a foremast, then in the fore part of the vessel, at a height above the hull of not less than 20 feet, and if the breadth of the vessel exceeds 20 feet, then at a height above the hull not less than such breadth, so, however, that the light need not be carried at a greater height above the hull than 40 feet, a bright white light, so constructed as to show an unbroken light over an arc of the horizon of 20 points of the compass, so fixed as to throw the light 10 points on each side of the vessel, viz.,

ANNEXE II.

RÈGLEMENT INTERNATIONAL POUR PRÉVENIR LES
ABORDAGES EN MER.

PRÉLIMINAIRES.

Le présent Règlement devra être suivi par tous les navires dans les hautes mers et dans toutes les eaux attenantes accessibles aux bâtiments de mer.

Dans les Règles ci-après, tout navire à vapeur qui marche à la voile et non à la vapeur doit être considéré comme un navire à voiles, et tout navire qui marche à la vapeur, qu'il porte ou non des voiles, doit être considéré comme un navire à vapeur.

L'expression "navire à vapeur" doit comprendre tout navire mû par une machine.

L'expression "marchant à la vapeur" doit signifier marchant par un moyen mécanique quelconque.

Un navire "fait route" ou "est en marche," dans le sens de ces Règles, lorsqu'il n'est ni à l'ancre, ni amarré à terre, ni échoué.

La longueur d'un navire est celle qui est donnée par son certificat d'inscription ou d'immatriculation.

RÈGLES CONCERNANT LES FEUX, &c.

Le mot "visible," dans ces Règles, lorsqu'il s'applique à des feux, veut dire visible par une nuit noire, avec une atmosphère pure.

ARTICLE 1^{er}.

Les Règles concernant les feux doivent être observées par tous les temps, du coucher au lever du soleil, et pendant cet intervalle, on ne doit montrer aucun autre feu pouvant être pris pour un des feux prescrits *ou contrariant la visibilité de ces derniers.*

ARTICLE 2.

Un navire à vapeur faisant route doit porter:

(a.) Au mât de misaine ou en avant de ce mât, ou bien, si le navire n'a pas de mât de misaine, sur la partie avant du navire, ~~à une hauteur au-dessus du plat-bord qui ne soit pas inférieure à 6 m. 10, et, si la largeur du navire dépasse 6 m. 10, à une hauteur au-dessus du plat-bord au moins égale à cette largeur, sans qu'il soit néanmoins nécessaire que cette hauteur au-dessus du plat-bord dépasse 12 m. 10,~~ un feu blanc brillant, disposé de manière à montrer une lumière ininterrompue sur tout le parcours d'un arc de l'horizon de 20 quarts ou

from right ahead to 2 points abaft the beam on either side, and of such a character as to be visible at a distance of at least 5 miles.

(b.) *Either forward or aft of the white light mentioned in sub-division (a) a second white light similar in construction and character to that light.*

Vessels of less than 150 feet in length shall not be required to carry this second white light, but may do so.

(c.) *These two white lights shall be so placed in a line with the keel that one shall be at least 15 feet higher than the other and in such a position that the lower light shall be forward of the upper one, and higher than the lights mentioned in Article 2 (d) and (e). The vertical distance between the two white lights shall be less than the horizontal distance. The lower of these two white lights, or if only one is carried, then that light, shall be placed at a height above the hull of not less than 20 feet, and, if the breadth of the vessel exceeds 20 feet, then at a height above the hull not less than such breadth, so, however, that the light need not be carried at a greater height above the hull than 40 feet.*

(b.) (d.) *On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least 2 miles.*

(e.) (e.) *On the port side a red light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the port side, and of such a character as to be visible at a distance of at least 2 miles.*

(d.) (f.) *The said green and red side lights shall be fitted with inboard screens projecting at least 3 feet forward from the light, so as to prevent these lights from being seen across the bow.*

(e.) ~~A steam vessel when under way may carry an additional white light similar in construction to the light mentioned in sub-division (a): These two lights shall be so placed in line with the keel that one shall be at least 15 feet higher than the other, and in such a position with reference to each other that the lower light shall be forward of the upper one. The vertical distance between these lights shall be less than the horizontal distance.~~

In naval vessels of special construction in which it is not possible to comply fully with the provisions of this Article as to the position of lights or their range of visibility, those provisions shall be followed as closely as circumstances will permit.

rumbs du compas, soit 10 quarts ou rumbs de chaque côté du navire, c'est-à-dire depuis l'avant jusqu'à 2 quarts sur l'arrière du travers de chaque bord. Ce feu doit être visible d'une distance d'au moins 5 milles.

(b.) *Soit à l'avant, soit à l'arrière du feu blanc prévu au paragraphe (a), un deuxième feu blanc de construction et de caractère semblables.*

Le deuxième feu blanc n'est pas obligatoire pour les navires d'une longueur inférieure à 45m. 75, mais ils peuvent le porter.

(c.) *Ces deux feux blancs devront être placés dans le plan longitudinal ou parallèlement à ce plan, de manière que l'un d'eux soit plus élevé que l'autre d'au moins 4m. 57 et dans une position telle que le feu inférieur se trouve sur l'avant du feu supérieur et au-dessus des feux prévus aux paragraphes (d) et (e) du présent Article. La distance verticale entre ces deux feux devra être moindre que leur distance horizontale. Le feu blanc prévu au paragraphe (a), lorsqu'il n'y a qu'un seul feu, ou le feu inférieur lorsque le navire porte deux feux, devra se trouver à une hauteur au-dessus du plat-bord qui ne sera pas inférieure à 6m. 10 et, si la largeur dépasse 6m. 10, à une hauteur au-dessus du plat-bord au moins égale à cette largeur, sans qu'il soit néanmoins nécessaire que cette hauteur dépasse 12m. 19.*

(b.) (d.) A tribord, un feu vert établi de manière à projeter une lumière ininterrompue sur tout le parcours d'un arc de l'horizon de 10 quarts ou rumbs de compas, c'est-à-dire depuis l'avant jusqu'à deux quarts sur l'arrière du travers à tribord. Ce feu doit être visible d'une distance d'au moins 2 milles.

(e.) (e.) A bâbord, un feu rouge établi de manière à projeter une lumière ininterrompue sur tout le parcours d'un arc de l'horizon de 10 quarts ou rumbs de compas, c'est-à-dire depuis l'avant jusqu'à 2 quarts sur l'arrière du travers à bâbord. Ce feu doit être visible d'une distance d'au moins 2 milles.

(d.) (f.) Lesdits feux de côté vert et rouge doivent être munis, du côté du bâtiment, d'écrans s'avancant au moins de 0m. 91 en avant du feu, de telle sorte que leur lumière ne puisse pas être aperçue de tribord devant pour le feu rouge et de bâbord devant pour le feu vert.

(e.) *Un navire à vapeur faisant route peut porter un feu blanc additionnel de même construction que le feu mentionné au paragraphe (a): Ces deux feux devront être placés dans le plan longitudinal, de manière que l'un soit plus élevé que l'autre d'au moins 4m. 57, et dans une position telle, l'un par rapport à l'autre, que le feu inférieur soit sur l'avant du feu supérieur. La distance verticale entre ces feux devra être moindre que leur distance horizontale.*

Sur les navires de guerre d'une construction spéciale, à bord desquels il n'est pas possible de se conformer exactement à toutes les prescriptions du présent Article en ce qui concerne l'emplacement des feux ou la distance à laquelle ils doivent être visibles, on appliquera les présentes Règles aussi exactement qu'il sera possible de le faire.

ARTICLE 3.

A steam vessel when towing another vessel shall, in addition to her side lights, carry two bright white lights in a vertical line one over the other, not less than 6 feet apart, and when towing more than one vessel shall carry an additional bright white light 6 feet above or below such lights, if the length of the tow, measuring from the stern of the towing vessel to the stern of the last vessel towed, exceeds 600 feet. Each of these lights shall be of the same construction and character, and *one of them* shall be carried in the same position as the white light mentioned in Article 2 (a), ~~except the additional light which may~~ and the lowest light shall be carried at a height of not less than 14 feet above the hull.

~~Such steam vessel~~ *The vessel towing and the vessels towed, except the last vessel of the tow, may carry in lieu of the light required in Article 10,* a small white light abaft the funnel or aftermast, for the ~~vessel towed~~ tow to steer by, but such light shall not be visible forward of the beam.

ARTICLE 4.

(a.) A vessel which ~~from any accident~~ is not under command shall carry ~~at the same height as the white light mentioned in Article 2 (a);~~ where they can best be seen, and, if a steam vessel, in lieu of ~~that light~~ *the lights required in Article 2 (a) and (b),* two red lights, in a vertical line one over the other, not less than 6 feet apart, *so placed that the lower light shall not be less than 14 feet above the hull,* and of such a character as to be visible all round the horizon at a distance of at least 2 miles; and shall by day carry in a vertical line, one over the other not less than 6 feet apart, where they can best be seen, two black balls or shapes each 2 feet in diameter.

(b.) A vessel employed in laying or in picking up a ~~telegraph sub-~~marine cable shall carry ~~in the same position as the white light mentioned in Article 2 (a);~~ and if a steam vessel, in lieu of ~~that light~~ *the lights required in Article 2 (a) and (b),* three lights in a vertical line, one over the other, not less than 6 feet apart, *so placed that the lowest of these lights shall be not less than 14 feet above the hull.* The highest and lowest of these lights shall be red, and the middle light shall be white, and they shall be of such a character as to be visible all round the horizon, at a distance of at least 2 miles. By day she shall carry in a vertical line, one over the other, not less than 6 feet apart, where they can best be seen, three shapes not less than 2 feet in diameter, of which the highest and lowest shall be globular in shape and red in colour, and the middle one diamond in shape and white.

ARTICLE 3.

Tout navire à vapeur remorquant un autre navire doit porter, outre ses feux de côté, deux feux blancs brillants placés verticalement à 1m. 83 au moins l'un de l'autre et, lorsqu'il remorque plus d'un navire, il doit porter un feu blanc brillant additionnel à 1m. 83 au-dessus ou au-dessous des deux feux précédents, si la longueur de la remorque, mesurée entre l'arrière du remorqueur et l'arrière du dernier navire remorqué, dépasse 183m.

Chacun de ces feux doit être de même construction et de même caractère que le feu blanc mentionné à l'Article 2 (a), ~~à l'exception du feu additionnel qui peut être l'un d'eux sera placé dans la même position que ce dernier feu et le feu inférieur devra se trouver à une~~ hauteur d'au moins 4m. 57 au-dessus du plat-bord.

~~Le remorqueur peut~~ *Le navire remorquant et les navires remorqués, à l'exception du dernier, peuvent* porter, au lieu du feu prévu à l'Article 10, en arrière de la cheminée ou du mât de l'arrière, un petit feu blanc sur lequel gouvernent les bâtiments remorqués, mais ce feu ne doit pas être visible sur l'avant du travers du remorqueur.

ARTICLE 4.

(a.) Un navire qui, ~~pour une cause accidentelle~~ n'est pas maître de sa manœuvre, doit pendant la nuit porter ~~à la même hauteur que le feu blanc mentionné à l'article 2 (a);~~ à l'endroit où ils seront le plus apparents, et, si ce navire est à vapeur, ~~au lieu des feux prescrits à l'Article 2, (a) et (b),~~ deux feux rouges disposés verticalement à une distance l'un de l'autre d'au moins 1m. 83 ~~et placés de telle sorte que le feu inférieur ne se trouve pas à moins de 4m. 57 au-dessus du plat-bord.~~ Ils devront être d'une intensité suffisante pour être visibles d'une distance d'au moins 2 milles; pendant le jour, ce même navire devra porter, sur une lingée verticale et à 1m. 83 au moins de distance l'un de l'autre, dans l'endroit où ils seront le plus apparents, deux ballons ou marques noirs de 0m. 61 de diamètre chacun.

(b.) Un navire employé à poser ou à relever un câble ~~télégraphique sous-marin~~ doit porter, ~~dans la même position que le feu blanc mentionné à l'article 2 (a) et, si c'est un navire à vapeur à la place assignée à ce feu,~~ au lieu des feux prescrits à l'Article 2 (a) et (b), trois feux placés sur une ligne verticale à 1m. 83 au moins l'un de l'autre, ~~de telle sorte que le plus bas de ces trois feux ne soit pas situé à moins de 4m. 57 au-dessus du plat-bord.~~ Le feu supérieur et le feu inférieur seront rouges, le feu du milieu blanc. Ils auront une intensité suffisante pour être visibles sur tout l'horizon d'une distance d'au moins 2 milles. De jour, il devra porter, sur une même ligne verticale, à 1m. 83 au moins l'une de l'autre, et placées dans l'endroit le plus apparent, trois marques de 0m. 61 au moins de diamètre chacune, dont la plus haute et la plus basse seront de forme sphérique et de couleur rouge, celle du milieu de forme biconique et de couleur blanche.

(c.) The vessels referred to in this Article, when not making way through the water, shall not carry the side-lights, but when making way shall carry them.

(d.) The lights and shapes required to be shown by this Article are to be taken by other vessels as signals that the vessel showing them is not under command and cannot therefore get out of the way.

These signals are not signals of vessels in distress and requiring assistance. Such signals are contained in Article 31.

ARTICLE 5.

A sailing vessel under way, and any vessel being towed, shall carry the same lights as are prescribed by Article 2 for a steam vessel under way, with the exception of the white lights mentioned therein, which they shall never carry.

ARTICLE 6.

Whenever, as in the case of small vessels under way during bad weather, the green and red side lights cannot be fixed, these lights shall be kept at hand lighted and ready for use; and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side nor the red light on the starboard side, nor, if practicable, more than 2 points abaft the beam on their respective sides.

To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the colour of the light they respectively contain, and shall be provided with proper screens.

ARTICLE 7.

Steam vessels of less than 40, and vessels under oars or sails of less than 20, tons gross tonnage, respectively, and rowing boats, when under way, shall not be ~~obliged~~ *required* to carry the lights mentioned in Article 2 (a), (b) ~~and~~ (e); but if they do not carry them they shall be provided with the following lights:—

1. Steam vessels of less than 40 tons shall carry:

(a.) In the fore part of the vessel, ~~or~~ on or in front of the funnel, where it can best be seen, and at a height above the gunwale of not less than 9 feet, a bright white light constructed and fixed as prescribed in Article 2 (a), and of such a character as to be visible at a distance of at least 2 3 miles.

(b.) Green and red side-lights constructed and fixed as prescribed in Article 2 (b) ~~and~~ (e); (d) and (e), and of such a character as to be

(c.) Les navires dont il est question dans le présent Article ne porteront pas de feux de côté quand ils n'ont aucun sillage, mais ils devront en avoir s'ils ont de l'erre.

(d.) Les feux et les marques de jour prescrits par le présent Article doivent être regardés par les autres navires comme des signaux indiquant que le bâtiment qui les montre n'est pas maître de sa manœuvre et ne peut, par conséquent, s'écarter de la route.

Ces signaux ne sont pas des signaux de navire en détresse et demandant assistance. Ces derniers signaux sont spécifiés à l'Article 31.

ARTICLE 5.

Tout navire à voile qui fait route et tout navire remorqué doivent porter les feux prescrits à l'Article 2 pour un navire à vapeur faisant route à l'exception des feux blancs mentionnés dans ledit Article, qu'ils ne doivent jamais porter.

ARTICLE 6.

Toutes les fois que les feux de côté, vert et rouge, ne peuvent être fixés à leur poste, comme cela a lieu à bord des petits bâtiments faisant route par mauvais temps, ces feux doivent être tenus sous la main, allumés et prêts à être montrés; si l'on s'approche d'un autre bâtiment ou si l'on en voit un qui s'approche, on doit montrer ces feux à leur bord respectif suffisamment à temps pour prévenir la collision, de telle sorte qu'ils soient bien apparents et que le feu vert ne puisse pas être aperçu de bâbord, ni le feu rouge de tribord, et, s'il est possible, de telle sorte qu'ils ne puissent être vus au delà de 2 quarts sur l'arrière du travers de leur bord respectif.

Afin de rendre plus facile et plus sûr l'emploi de ces feux portatifs, les fanaux doivent être peints extérieurement de la couleur du feu qu'ils contiennent respectivement et doivent être munis d'écrans convenables.

ARTICLE 7.

Les navires à vapeur de moins de 40 tonneaux de jauge brute et les navires marchant à l'aviron ou à la voile de moins de 20 tonneaux de jauge brute, ainsi, que les embarcations à l'aviron, lorsqu'ils font route, ne sont pas astreints à porter les feux mentionnés à l'Article 2 (a), (b) et (c); mais, s'ils ne les portent pas, ils doivent être pourvus des feux suivants:

1. Les navires à vapeur de moins de 40 tonneaux doivent porter:

(a.) Sur la partie avant du navire, soit sur la cheminée, soit en avant de celle-ci, à l'endroit où il sera le plus apparent et à 2m. 75 au moins au-dessus du plat-bord, un feu blanc brillant construit et fixé comme il est prescrit à l'Article 2 (a) et d'une intensité suffisante pour être visible d'une distance d'au moins 2 3 milles.

(b.) Des feux de côté, vert et rouge, construits et fixés comme il est prescrit à l'Article 2 (b) et (c) (d) et (e), et d'une intensité suffisante

visible at a distance of at least 1 mile, or a combined lantern showing a green light and a red light from right ahead to 2 points abaft the beam on their respective sides. Such lantern shall be carried not less than 3 feet below the white light.

2. Small steamboats, such as are carried by sea-going vessels, may carry the white light at a less height than 9 feet above the gunwale, but it shall be carried above *the side-lights or* the combined lantern, mentioned in sub-division 1 (b).

3. Vessels under oars or sails, of less than 20 tons, shall ~~have ready at hand if they do not carry the side-lights, carry, where it can best be seen, a lantern with showing a green glass light on one side and a red glass light on the other, which, on the approach of or to other vessels, shall be exhibited in sufficient time to prevent collision, of such a character as to be visible at a distance of at least 1 mile so that the green light shall not be seen on the port side nor the red light on the star-board side; provided that, where it is not possible to fix this light, it shall be kept lighted and ready for use, and shall be exhibited in sufficient time to prevent collision.~~

4. *Small* rowing boats, whether under oars or sail, shall *only be required to have ready at hand a lighted lantern showing a white light, which shall be temporarily exhibited in sufficient time to prevent collision.*

The vessels referred to in this Article shall not be obliged to carry the lights prescribed by Article 4 (a), and Article 11, last paragraph.

ARTICLE 8.

Sailing pilot-vessels, when engaged on their station on pilotage duty, *and not at anchor*, shall not show the lights required for other vessels, but shall carry a white light at the masthead, visible all round the horizon, *at a distance of at least 3 miles*, and shall also exhibit a flare-up light or flare-up lights at short intervals, which shall never exceed ~~fifteen~~ *ten* minutes.

On the near approach of or to other vessels they shall have their side-lights lighted, ready for use, and shall flash or show them at short intervals, to indicate the direction in which they are heading, but the green light shall not be shown on the port side, nor the red light on the starboard side.

A *sailing* pilot-vessel of such a class as to be obliged to go alongside of a vessel to put a pilot on board may show the white light instead of carrying it at the masthead, and may, instead of the ~~coloured~~ *side-lights* above mentioned, have at hand, ready for use, a lantern with a green glass on the one side and a red glass on the other, to be used as prescribed above.

pour être visibles d'une distance d'au moins 1 mille, ou un fanal combiné pour montrer un feu vert et un feu rouge depuis l'avant jusqu'à 2 quarts sur l'arrière du travers de leur bord respectif. Ce fanal ne doit pas être placé à moins de 0m. 91 au-dessus du feu blanc.

2. Les petits navires à vapeur, tels que les embarcations que portent les bâtiments de mer, peuvent placer le feu blanc à moins de 2m. 74 au-dessus du plat-bord, mais ce feu doit être au-dessus *des feux de côté* ou du fanal combiné mentionné au paragraphe 1 (b).

3. Les petits navires à l'aviron ou à la voile, de moins de 20 tonneaux, s'il ne portent pas les feux de côté doivent ~~avoir prêt sur la main~~ *porter, à l'endroit où il sera le plus apparent*, un fanal ~~muni d'une glace verte d'un côté et d'une glace rouge de l'autre côté~~, et s'ils s'approchent d'un autre navire ou s'ils en voient un s'approcher, ils doivent montrer ce fanal assez à temps pour ~~prévenir une collision montrant un feu vert d'un côté et un feu rouge de l'autre côté d'une intensité suffisante~~ *pour être visibles d'une distance d'au moins 1 mille* et de telle sorte que le feu vert ne puisse être aperçu de bâbord ni le feu rouge de tribord. *Toutefois, s'il n'est pas possible de fixer ce fanal il devra être maintenu allumé, tenu prêt, sous la main, et montré assez à temps pour prévenir une collision.*

4. Les petites embarcations à rames, lorsqu'elles marchent à l'aviron ou à la voile, doivent *ne sont soumises qu'à l'obligation d'avoir*, prêt, sous la main, un fanal blanc, qui sera montré temporairement assez à temps pour prévenir une collision.

Les navires dont il est question dans cet Article ne sont pas obligés de porter les feux prescrits par l'Article 4 (a) et par l'Article 11, dernier paragraphe.

ARTICLE 8.

Les bateaux-pilotes à voiles, quand ils sont à leurs stations en service de pilotage *et lorsqu'ils ne sont pas mouillés*, ne doivent pas montrer les feux exigés des autres navires; ils doivent porter en tête de mât un feu blanc visible tout autour de l'horizon, *à une distance de 3 milles au moins*, et montrer aussi un ou plusieurs feux provisoires d'une nature quelconque (flare-up light) à de courts intervalles, ne dépassant jamais 15 10 minutes.

S'ils s'approchent d'un autre navire ou s'ils en voient un s'approcher, ils doivent avoir leurs feux de côté allumés, prêts à servir et les démasquer et remasquer à de courts intervalles, pour indiquer la direction de leur cap; mais le feu vert ne doit pas paraître du côté de bâbord, ni le feu rouge du côté de tribord.

Un bateau-pilote à voile, de la catégorie de ceux qui sont obligés d'accoster un navire pour mettre un pilote à bord, peut montrer le feu blanc au lieu de le porter en tête de mât et peut, au lieu des feux de ~~couleurs~~ *côté* susmentionnés, avoir sous la main, prêt à servir, un fanal muni d'une glace verte d'un côté, et d'une glace rouge de l'autre côté, pour l'employer comme il est dit plus haut.

A steam pilot-vessel ~~exclusively employed for the service of pilots licensed or certified by any pilotage authority or the Committee of any pilotage district~~, when engaged on her station on pilotage duty and not at anchor, shall, in addition to the lights *and flares* required for all pilot-boats *sailing pilot-vessels*, carry at a distance of eight feet below her white mast head light, a red light, visible all round the horizon ~~and of such a character as to be visible on a dark night with a clear atmosphere~~ at a distance of at least ~~two~~ *three* miles, and also the coloured side-lights required to be carried by vessels when under way.

All pilot-vessels, when engaged on their stations on pilotage duty and at anchor, shall carry the lights and show the flares prescribed above, except that the side-lights shall not be shown.

When not engaged on their stations on pilotage duty, they shall carry the same lights as other vessels of their class and tonnage.

~~When engaged on her station on pilotage duty and at anchor she shall carry, in addition to the lights required for all pilot boats, the red light above mentioned, but not the coloured side lights.~~

~~Pilot vessels, when not engaged on their station on pilotage duty, shall carry lights similar to those of other vessels of their tonnage.~~

ARTICLE 9.*†

Fishing-vessels and fishing-boats, when under way and when not required by this Article to carry or show the lights hereinafter specified, shall carry or show the lights prescribed for vessels of their tonnage under way.

(a.) Open boats, by which it is to be understood boats not protected from the entry of sea water by means of a continuous deck, when engaged in any fishing at night with outlying tackle extending not more than 150 feet horizontally from the boat into the seaway, shall carry one all-round white light.

Open boats, when fishing at night, with outlying tackle extending more than 150 feet horizontally from the boat into the seaway, shall carry one all-round white light, and, in addition, on approaching or being approached by other vessels, shall show a second white light at least 3 feet below the first light and at a horizontal distance of at least 5 feet away from it in the direction in which the outlying tackle is attached.

The lights mentioned in this sub-division shall be of such a character as to be visible at a distance of at least 2 miles.

* This article does not apply to Chinese or Siamese vessels. [Footnote in the original.]

† The expression "Mediterranean Sea" contained in sub-sections (b) and (c) of this Article includes the Black Sea and the other adjacent inland seas in communication with it. [Footnote in the original.]

Un bateau-pilote à vapeur exclusivement employé au service des pilotes patentés ou autorisés par toute autorité de pilotage ou comité d'un district de pilotage, doit, lorsqu'il est à sa station en service de pilotage, mais non au mouillage, porter, en plus des feux et des "*flare-up lights*" exigés pour tous les bateaux-pilotes à voiles, à 2m. 40 au-dessous du feu blanc de tête de mât, un feu rouge visible tout autour de l'horizon d'une distance d'au moins 2 3 milles par nuit noire mais atmosphère claire, il doit aussi porter les feux de côté exigés pour les navires en marche.

Tous les bateaux-pilotes en service à leurs stations de pilotage et lorsqu'ils sont mouillés doivent porter les feux et montrer les "flare-up lights" ci-dessus prescrits à l'exception des feux de côté qu'ils ne doivent pas montrer.

Les bateaux-pilotes, lorsqu'ils ne sont pas à leurs stations en service de pilotage doivent porter des feux semblables à ceux des autres navires de leur catégorie et de leur tonnage.

Lorsqu'il est à sa station en service de pilotage, mais au mouillage il doit porter en plus des feux exigés pour tous les bateaux-pilotes, le feu rouge mentionné ci-dessus, mais non les feux de couleur de côté.

Les bateaux-pilotes, lorsqu'ils ne sont pas à leur station en service de pilotage, doivent porter des feux semblables à ceux des autres navires de leur tonnage.

ARTICLE 9.*†

Les bateaux et embarcations de pêche sauf dans les cas visés ci-dessus sont tenus de porter ou de montrer lorsqu'ils sont en marche les feux réglementaires pour les navires de leur tonnage en marche.

(a.) Les bateaux découverts (c'est-à-dire ceux qu'un pont continu ne protège pas de la mer) qui, pendant la durée de la pêche de nuit, portent un appareil immergé ne s'étendant pas à plus de 45m. 72, distance horizontale comptée à partir du bateau sont tenus de porter un feu blanc visible sur tout l'horizon.

Les bateaux découverts, lorsqu'ils pêchent de nuit, avec un appareil immergé qui déborde et s'étend à plus de 45m. 72, comptés à partir du bateau et horizontalement, doivent porter un feu blanc visible sur tout l'horizon et, de plus, lorsqu'ils s'approchent d'un bâtiment ou lorsqu'ils sont rejoints par un navire, doivent montrer un deuxième feu blanc à au moins 0m. 91 au-dessous du premier feu et à une distance horizontale d'au moins 1m. 50 en dehors de ce feu et dans la direction où l'appareil qui déborde est amarré à bord.

Les feux indiqués au présent paragraphe doivent avoir une intensité suffisante pour être visibles d'une distance de 2 milles au moins.

* Cet article ne s'applique pas aux navires chinois ou siamois. [Footnote in the original.]

† L'expression "mer Méditerranée" employée dans les paragraphes (b) et (c) de cet article comprend la mer Noire et les mers intérieures adjacentes communiquant avec elle. [Footnote in the original.]

‡(b.) Vessels and boats, except open boats as defined in sub-division (a), when fishing with drift-nets, shall, so long as the nets are wholly or partly in the water, carry two white lights where they can best be seen. Such lights shall be placed so that the vertical distance between them shall be not less than 6 feet and not more than 15 feet, and so that the horizontal distance between them, measured in a line with the keel, shall be not less than 5 feet and not more than 10 feet. The lower of these two lights shall be in the direction of the nets, and both of them shall be of such a character as to show all round the horizon, and to be visible at a distance of not less than 3 miles.

Within the Mediterranean Sea and in the seas bordering the coasts of Japan and Korea, § sailing fishing-vessels of less than 20 tons gross tonnage shall not be obliged to carry the lower of these two lights; should they, however, not carry it, they shall show in the same position (in the direction of the net or gear) a white light visible at a distance of not less than one sea mile on the approach of or to other vessels.

(c.) Vessels and boats, except open boats as defined in sub-division (a), when line-fishing with their lines out and attached to or hauling their lines, and when not at anchor or stationary within the meaning of sub-division (h), shall carry the same lights as vessels fishing with drift-nets. When shooting lines, or fishing with towing lines, they shall carry the lights prescribed for a steam or sailing vessel under way respectively.

Within the Mediterranean Sea and in the seas bordering the coasts of Japan and Korea, § sailing fishing vessels of less than 20 tons gross tonnage shall not be obliged to carry the lower of these two lights; should they, however, not carry it, they shall show in the same position (in the direction of the lines) a white light, visible at a distance of not less than one sea mile on the approach of or to other vessels.

(d.) Vessels, when engaged in trawling, by which is meant the dragging of an apparatus along the bottom of the sea—

1. If steam vessels, shall carry in the same position as the white light mentioned in Article 2 (a), a tri-coloured lantern so constructed and fixed as to show a white light from right ahead to two points on each bow, and a green light and a red light over an arc of the horizon from two points on each bow to two points abaft the beam on the starboard and port sides respectively; and not less than 6 nor more than 12 feet below the tri-coloured lantern a white light in a lantern, so constructed as to show a clear, uniform and unbroken light all round the horizon.

2. If sailing vessels, shall carry a white light in a lantern, so constructed as to show a clear, uniform and unbroken light all round the horizon, and shall also, on the approach of or to other vessels, show where it can best be seen a white flare-up light or torch in sufficient time to prevent collision.

‡ Dutch vessels and boats when engaged in the "kol," or hand-line, fishing will carry the lights prescribed for vessels fishing with drift-nets. [Footnote in the original.]

§ Also, as regards Russian vessels, in the seas (excluding the Baltic) bordering the coasts of Russia. [Footnote in the original.]

*(b.) Les bateaux et embarcations, à l'exception des bateaux découverts définis dans le paragraphe (a), lorsqu'ils pêchent avec des filets dérivants, doivent, tant que les filets sont dans l'eau totalement ou en partie, porter deux feux blancs aux endroits où ils peuvent être le plus visibles. Ces feux doivent être placés à une distance verticale l'un de l'autre de 1m. 80 au moins, et de 4m. 50 au plus et à une distance horizontale, dans le sens de la longueur du bateau, de 1m. 50 au moins et de 3 mètres au plus. Le feu inférieur devra être dans la direction des filets et l'ensemble des deux feux devra être visible sur tout l'horizon d'une distance d'au moins 3 milles.

Dans la Méditerranée et dans les mers bordant les côtes du Japon et de la Corée,† les voiliers de pêche de moins de 20 tonneaux de jauge brute ne seront pas tenus de porter le dernier des feux ci-dessus (feu inférieur); mais s'ils ne le portent pas, ils seront tenus de montrer dans la même position (dans la direction du filet ou de l'appareil) un feu blanc visible d'au moins 1 mille à l'approche d'un autre bâtiment.

(c.) Les bateaux et embarcations, à l'exception des bateaux découverts tels qu'ils sont définis dans le paragraphe (a), lorsqu'ils pêchent à la ligne avec leurs lignes dehors et amarrées, ou lorsqu'ils halent leurs lignes et lorsqu'ils ne sont pas au mouillage ou stationnaires (voir paragraphe (h)), doivent porter les mêmes feux que les bateaux qui pêchent avec des filets dérivants. Lorsqu'ils élongent leurs lignes ou s'ils pêchent avec des lignes traînantes, ils sont tenus de porter les feux prescrits, suivant le cas, pour les vapeurs ou les voiliers en marche.

Dans la Méditerranée et dans les mers bordant les côtes du Japon et de la Corée,† les voiliers de moins de 20 tonneaux de jauge brute ne sont pas tenus de porter le dernier des feux ci-dessus (feu inférieur), mais s'ils ne le portent pas, ils doivent montrer dans la même position (dans la direction des lignes) un feu blanc visible d'au moins 1 mille, à l'approche d'un autre navire.

(d.) Les bateaux occupés à chaluter, c'est-à-dire à draguer le fond avec un appareil, doivent:

1. S'ils sont à vapeur, porter, dans la même position que le feu blanc mentionné dans l'Article 2(a), un fanal tricolore disposé de manière à montrer un feu blanc depuis l'avant jusqu'à deux quarts de chaque bord, et un feu vert par tribord ainsi qu'un feu rouge par bâbord, visibles l'un et l'autre à partir de deux quarts de l'avant jusqu'à deux quarts sur l'arrière du travers. Ils doivent porter de plus, à 1m. 80 au moins et à 3m. 60 au plus, au-dessous du fanal tricolore, un feu blanc, montrant une lumière claire, uniforme et ininterrompue sur tout l'horizon.

2. S'ils sont à voiles, porter un fanal disposé de manière à montrer une lumière blanche, claire, uniforme et ininterrompue sur tout l'horizon. Ils doivent aussi, à l'approche d'un autre bâtiment, montrer dans l'endroit où elle sera le mieux visible une flamme ("flare-up light"), ou une torche, assez à temps pour éviter un abordage.

* Les navires et embarcations des Pays-Bas pêchant à la ligne à main ("Kol") montreront les feux prescrits pour les navires pêchant avec les filets dérivants. [Footnote in the original.]

† De même en ce qui concerne les navires russes dans les mers baignant les côtes russes à l'exception de la Baltique. [Footnote in the original.]

All lights mentioned in sub-division (d), 1 and 2, shall be visible at a distance of at least 2 miles.

(e.) Oyster dredgers and other vessels fishing with dredge-nets shall carry and show the same lights as trawlers.

(f.) Fishing-vessels and fishing-boats may at any time use a flare-up light in addition to the lights which they are by this Article required to carry and show, and they may also use working lights.

(g.) Every fishing-vessel and every fishing-boat under 150 feet in length, when at anchor, shall exhibit a white light visible all round the horizon at a distance of at least ~~one~~ 2 miles.

Every fishing-vessel of 150 feet in length or upwards, when at anchor, shall exhibit a white light visible all round the horizon at a distance of at least ~~one~~ 2 miles and shall exhibit a second light as provided for vessels of such length by Article 11.

Should any such vessel, whether under 150 feet in length, or of 150 feet in length or upwards, be attached to a net or other fishing gear, she shall, on the approach of other vessels, show an additional white light at least 3 feet below the anchor light, and at a horizontal distance of at least 5 feet away from it in the direction of the net or gear.

(h.) If a vessel or boat when fishing becomes stationary in consequence of her gear getting fast to a rock or other obstruction, she shall in day-time haul down the day-signal required by sub-division (k); at night show the light or lights prescribed for a vessel at anchor; and, during fog, mist, falling snow, or heavy rain-storms, make the signal prescribed for a vessel at anchor. (See sub-division (d), and the last paragraph of Article 15.)

(i.) In fog, mist, falling snow, or heavy rain-storms, drift-net vessels attached to their nets, and vessels when trawling, dredging, or fishing with any kind of drag-net, and vessels line fishing with their lines out, shall, if of 20 tons gross tonnage or upwards, respectively, at intervals of not more than one minute, make a blast; if steam vessels, with the whistle or siren, and, if sailing vessels, with the fog-horn; each blast to be followed by ringing the bell. Fishing vessels and boats of less than 20 tons gross tonnage shall not be obliged to give the above-mentioned signals; but, if they do not, they shall make some other efficient sound signal at intervals of not more than one minute.

(k.) All vessels or boats fishing with nets or lines or trawls, when under way, shall in daytime indicate their occupation ~~to an approaching vessel~~ by displaying a basket ~~or other efficient signal~~ where it can best be seen. If vessels or boats at anchor have their gear out, they shall, on the approach of other vessels, show the same signal on the side on which those vessels can pass.

Tous les feux mentionnés dans le paragraphe (d), 1 et 2, doivent être visibles d'au moins 2 milles.

(e.) Les dragueurs d'huîtres et autres bateaux pêchant avec des filets de drague doivent porter et montrer les mêmes feux que les chalutiers.

(f.) Les bateaux et embarcations de pêche peuvent, en tout temps, montrer une flamme ("flare-up") en plus des feux que le présent Article les oblige à porter ou à montrer; ils peuvent aussi employer des feux de travail ("working lights").

(g.) Tout bateau de pêche et toute embarcation de pêche de moins de 45m. 72 de longueur doit porter, au mouillage, un feu blanc visible d'au moins ~~1 mille~~ 2 milles sur tout l'horizon.

Tout bateau de pêche de 45m. 72 de longueur ou au-dessus doit montrer au mouillage, un feu blanc, visible d'au moins ~~1 mille~~ 2 milles sur tout l'horizon, et montrer un second feu comme l'Article 11 le prévoit pour les bâtiments de cette longueur.

Si le bâtiment, qu'il ait moins de 45m. 72 de longueur ou de 45m. 72 de longueur et au-dessus, est attaché à un filet ou à tout autre engin de pêche, il doit à l'approche d'un autre bâtiment, montrer un feu blanc supplémentaire à 0m. 90 au moins au-dessous du feu de mouillage et à une distance horizontale d'au moins 1m. 50 en dehors de ce dernier feu, dans la direction du filet ou de l'engin de pêche.

(h.) Si un bateau ou une embarcation de pêche devient stationnaire, ses engins s'étant trouvés engagés par une roche ou un autre obstacle, il doit, le jour, hisser le signal prévu par le paragraphe (k); de nuit, il doit montrer le feu ou les feux prescrits pour un navire au mouillage, et en temps de brouillard, de brume, de neige ou par tempêtes de pluie, faire le signal de brume des bâtiments au mouillage. (Voir paragraphe (d) et l'Article 15, dernier paragraphe.)

(i.) Par brouillard, brume, neige ou tempêtes de pluie, les bateaux à filets dérivants attachés à leurs filets et les bateaux chalutant, draguant ou pêchant avec toute espèce de filets à draguer, les bâtiments pêchant à la ligne avec leurs lignes dehors, doivent, si leur tonnage brut est de 20 tonneaux ou au-dessus, faire entendre, à des intervalles de une minute au plus, un son de leur sifflet ou de leur sirène, si ce sont des vapeurs, et de leur cornet de brume si ce sont des voiliers; chaque son doit être suivi d'une sonnerie de cloche. Les bateaux de pêche et embarcations de moins de 20 tonneaux de jauge brute ne sont pas tenus de faire les signaux ci-dessus; mais s'ils ne les font pas, ils doivent faire entendre quelque autre signal sonore efficace, à des intervalles ne dépassant pas une minute.

(k.) Tous les bateaux ou embarcations de pêche en marche se servant de filets, de lignes ou de chaluts, doivent l'indiquer, de jour, ~~à tous bâtiments qui approchent~~ en hissant un panier ~~ou un autre signal efficace~~ à l'endroit où il peut être le plus visible. S'ils sont au mouillage avec leurs engins dehors, ils doivent, à l'approche d'un autre bâtiment, montrer ce même signal du côté où ce bâtiment peut passer.

The vessels required by this Article to carry or show the lights hereinbefore specified shall not be obliged to carry the lights prescribed by Article 4 (a) and the last paragraph of Article 11.

ARTICLE 10.

~~A vessel which is being overtaken by another shall show from her stern to such last-mentioned vessel a white light or a flare-up light.~~

~~The white light required to be shown by this Article may be fixed and carried in a lantern, but in such case the lantern shall be~~ *A vessel when under way shall carry at her stern, a white light so constructed, fitted, and screened, that it shall throw an unbroken light over an arc of the horizon of 12 points of the compass, viz., for 6 points from right aft on each side of the vessel, and of such a character so as to be visible at a distance of at least ~~1 mile~~ 2 miles. Such light shall be carried as nearly as practicable on the same level as the side lights.*

In small vessels, if it is not possible on account of bad weather or other sufficient cause for this light to be fixed, a light shall be kept at hand lighted and ready for use, and shall, on the approach of an overtaking vessel, be shown in sufficient time to prevent collision.

For vessels engaged in towing, see Article 3, last paragraph.

ARTICLE 11.

A vessel under 150 feet in length, when at anchor, shall carry forward, where it can best be seen, but at a height not exceeding 20 feet above the hull, a white light in a lantern so constructed as to show a clear, uniform, and unbroken light visible all round the horizon at a distance of at least \pm 2 miles.

A vessel of 150 feet or upwards in length, when at anchor, shall carry in the forward part of the vessel, at a height of not less than 20, and not exceeding 40, feet above the hull, one such light, and at or near the stern of the vessel, and at such a height that it shall be not less than 15 feet lower than the forward light, another such light.

Between sunrise and sunset all vessels when at anchor in or near a fairway shall carry, forward, where it can best be seen, one black ball, 2 feet in diameter. The length of a vessel shall be deemed to be the length appearing in her certificate of registry.

A vessel aground in or near a fairway shall carry *by night* the above light or lights and the two red lights prescribed by Article 4 (a), *and by day, where they can best be seen, 3 black balls, each 2 feet in diameter, placed in a vertical line one over the other.*

Les bâtiments visés, par cet Article, ne sont pas obligés, de porter les feux prescrits par l'Article 4, paragraphe (a), et par le dernier paragraphe de l'Article 11.

ARTICLE 10.

Un navire qui est rattrapé par un autre doit montrer à celui-ci, de la partie arrière du navire, un feu blanc ou un feu provisoire d'une nature quelconque (flare up):

Le feu blanc mentionné dans cet article peut être fixé et placé dans un fanal, mais, dans ce cas, le fanal doit être. Un navire faisant route doit porter à son arrière un feu de poupe blanc construit, fixé et muni d'écrans de manière à projeter une lumière ininterrompue sur un arc d'horizon de 12 rumbes ou quarts du compas, soit 6 quarts de chaque bord à partir de l'arrière. Ce feu doit être visible d'au moins 2 milles et placé autant que possible à la même hauteur que les feux de côté.

A bord des petits bâtiments, lorsqu'il n'est pas possible, à cause du mauvais temps ou pour toute autre raison suffisante, de maintenir ce feu en place, on devra avoir sous la main et tout prêt un fanal allumé qui sera montré suffisamment à temps pour éviter un abordage à l'approche de tout navire qui le rattrape.

En ce qui concerne les navires remorquant et remorqués, se rapporter au dernier paragraphe de l'Article 3.

ARTICLE 11.

Un navire de moins de 45m. 72 de longueur, lorsqu'il est au mouillage, doit porter à l'avant, dans l'endroit où il peut être le plus apparent, mais à une hauteur n'excédant pas 6m. 10 au-dessus du plat-bord, un feu blanc dans un fanal disposé de manière à projeter tout autour de l'horizon une lumière claire, uniforme et non interrompue à une distance d'au moins 1 2 milles.

Un navire de 45m. 72 ou plus de longueur, lorsqu'il est au mouillage, doit porter à la partie avant, à une hauteur au-dessus du plat-bord de 6m. 10 au moins et de 12m. 19 au plus, un feu blanc semblable à celui mentionné au paragraphe précédent et, à l'arrière ou près de l'arrière, un second feu pareil qui doit être à une hauteur telle qu'il ne se trouve pas à moins de 4m. 57 plus bas que le feu de l'avant.

Entre le lever et le coucher du soleil, tous les bâtiments au mouillage dans un chenal ou près d'un chenal porteront à l'avant à l'endroit le plus apparent une boule noire de 0m. 61 de diamètre.

~~On prendra pour la longueur du navire celle qui est donnée par son certificat d'inscription ou d'immatriculation.~~

Tout navire échoué dans un chenal ou près d'un chenal doit porter, de nuit, le ou les feux mentionnés ci-dessus, ainsi que les deux feux rouges prescrits par l'Article 4 (a) et, de jour, à l'endroit le plus apparent, trois boules noires d'un diamètre de 0m. 61 chacune, placées l'une au-dessus de l'autre sur une même ligne verticale.

ARTICLE 12.

Every vessel may, if necessary, in order to attract attention, in addition to the lights which she is by these Rules required to carry, show a flare-up light or use any detonating or other efficient sound signal that cannot be mistaken for a *prescribed* distress or fog signal.

ARTICLE 13.

Nothing in these Rules shall interfere with the operation of any special rules made by the Government of any nation with respect to additional station and signal lights for two or more ships of war or for vessels sailing under convoy, or with the exhibition of recognition signals adopted by shipowners, which have been authorised by their respective Governments and duly registered and published.

ARTICLE 14.

A ~~steam~~ vessel proceeding under sail only, but having her funnel ~~up~~, when also under steam or other mechanical power shall carry in the daytime, forward, where it can best be seen, one ~~black ball~~ black cone, point upwards, 2 feet in diameter at its base.

Sound signals for
fog, etc.

SOUND SIGNALS FOR FOG, &c.

ARTICLE 15.

Rules concerning

All signals prescribed by this Article for vessels under way shall be given—

1. By “steam vessels” on the whistle or siren.
2. By “sailing vessels and vessels towed” on the fog horn.

The words “prolonged blast” used in this Article, shall mean a blast of from 4 to 6 seconds’ duration.

A steam vessel shall be provided with an efficient whistle or siren, sounded by steam or some substitute for steam, so placed that the sound may not be intercepted by any obstruction, and with an efficient fog-horn, to be sounded by mechanical means, and also with an efficient bell.* A sailing vessel of 20 tons gross tonnage or upwards shall be provided with a similar fog-horn and bell.

* In all cases where the rules require a bell to be used a drum may be substituted on board Turkish vessels, or a gong where such articles are used on board small sea-going vessels. [Footnote in the original.]

ARTICLE 12.

Tout navire peut, s'il le juge nécessaire pour appeler l'attention, montrer, en plus des feux prescrits par les présentes règles, un feu provisoire d'une nature quelconque (*flare-up light*) ou faire usage de tout signal détonant *ou tout autre signal sonore efficace* ne pouvant être pris pour un des signaux prévus comme signal de détresse *ou de brume*.

ARTICLE 13.

Les présentes Règles ne doivent en rien gêner la mise à exécution des prescriptions spéciales édictées par un Gouvernement quelconque, quant à un plus grand nombre de feux de position ou de signaux à mettre à bord des bâtiments de guerre au nombre de deux ou davantage, ainsi qu'à bord de bâtiments naviguant en convoi; non plus que l'emploi de signaux de reconnaissance adoptés par les armateurs avec autorisation de leurs Gouvernements respectifs et dûment enregistrés et publiés.

ARTICLE 14.

Tout navire à ~~vapeur~~ faisant route à la voile ~~seulement mais ayant sa cheminée dressée et au même temps au moyen de la vapeur ou de toute autre propulsion mécanique~~ doit porter, de jour, à l'avant à l'endroit où il sera le plus apparent ~~un ballon noir ou une marque noire~~, un cône noir, de 0 m. 61 de diamètre à la base, la pointe en haut.

SIGNAUX PHONIQUES PAR TEMPS DE BRUME, &c.

ARTICLE 15.

Tous les signaux prescrits par le présent Article pour les navires faisant route devront être produits:

1. A bord des "navires à vapeur" au moyen du sifflet ou de la sirène;
2. A bord des "navires à voiles" et des navires remorqués au moyen du cornet de brume.

Les mots "son prolongé" employés dans cet Article signifient un son de 4 à 6 secondes de durée.

Tout navire à vapeur doit être pourvu d'un sifflet ou d'une sirène d'une sonorité suffisante, actionné par la vapeur ou tout autre moteur pouvant la remplacer, et placé de telle sorte que le son ne puisse être arrêté par aucun obstacle; il doit aussi être pourvu d'un cornet de brume actionné mécaniquement ainsi que d'une cloche,* l'un et l'autre suffisamment puissants. Tout navire à voiles d'un tonnage brut de 20 tonneaux et au-dessus doit avoir un cornet de brume et une cloche semblables.

* Dans tous les cas où ce règlement prescrit l'emploi de la cloche, un tambour ou un gong peuvent la remplacer sur les navires turcs, ou sur les petits navires de mer qui utilisent ces instruments. [Footnote in the original.]

In fog, mist, falling snow or heavy rain-storms, whether by day or night, the signals described in this Article shall be used as follows, viz.:—

(a.) A steam vessel having way upon her, shall sound, at intervals of not more than 2 minutes, a prolonged blast.

(b.) A steam vessel under way, but stopped and having no way upon her, shall sound, at intervals of not more than 2 minutes, 2 prolonged blasts, with an interval of about 1 second between them.

(c.) A sailing vessel under way shall sound, at intervals of not more than 1 minute, when on the starboard tack, 1 blast, when on the port tack, 2 blasts in succession, and when with the wind abaft the beam, 3 blasts in succession.

(d.) A vessel, when at anchor, shall, at intervals of not more than 1 minute, ring the bell rapidly for about 5 seconds.

In vessels of more than 350 feet in length the bell shall be sounded in the forepart of the vessel, and, in addition, there shall be sounded in the after-part of the vessel, at intervals of not more than 1 minute, a gong or other instrument, the tone of which cannot be confused with the ringing of the bell.

(e.) A vessel, when towing, a vessel employed in laying or in picking up a ~~telegraph~~ submarine cable, and a vessel under way, which is unable to get out of the way of an approaching vessel through being not under command, or unable to manœuvre as required by these Rules shall, instead of the signals prescribed in subdivisions (a), (b) and (c) of this Article, at intervals of not more than 2 minutes, sound 3 blasts in succession, viz., 1 prolonged blast followed by 2 short blasts. ~~A vessel towed may give this signal and she shall not give any other.~~

A vessel towed, or if more than one vessel is towed, the last vessel of the tow, shall, at intervals of not more than 2 minutes, sound 4 blasts in succession, viz., 1 prolonged blast followed by 3 short blasts, provided that this signal is not required when it is impossible to keep the vessel manned.

When practicable, the vessel towed shall make this signal immediately after the signal made by the towing vessel.

(f.) *A vessel aground in or near a fairway shall give the signal prescribed in paragraph (d), and shall, in addition, give 3 separate and distinct strokes on the bell immediately preceding and following each such signal.*

Sailing vessels and boats of less than 20 tons gross tonnage shall not be obliged to give the above-mentioned signals, but, if they do not, they shall make some other efficient sound-signal at intervals of not more than 1 minute.†

† Dutch steam pilot-vessels, when engaged on their station on pilotage duty in fog, mist, falling snow, or heavy rain-storms are required to make at intervals of 2 minutes at most one long blast with the siren, followed after 1 second by a long blast with the steam whistle and again after 1 second by a long blast on the siren. When not engaged on their station on pilotage duty, they make the same signals as other steamships. [Footnote in the original.]

Par temps de brume, de brouillard, de bruine, de neige ou pendant les forts grains de pluie, tant de jour que de nuit, les signaux décrits dans le présent Article seront employés comme il suit:

(a.) Tout navire à vapeur ayant de l'erre doit faire entendre un son prolongé à des intervalles de deux minutes au plus;

(b.) Tout navire à vapeur en route, mais stoppé et n'ayant pas d'erre, doit faire entendre, à des intervalles ne dépassant pas deux minutes, deux sons prolongés séparés par un intervalle d'une seconde environ.

(c.) Tout navire à voiles faisant route doit faire entendre à des intervalles n'excédant pas une minute, un son quand il est tribord amures, deux sons consécutifs quand il est bâbord amures et trois sons consécutifs quand il a le vent de l'arrière du travers.

(d.) Tout navire au mouillage doit sonner la cloche rapidement pendant 5 secondes environ à des intervalles n'excédant pas une minute.

Sur les navires d'une longueur supérieure à 106m. 75, on devra sonner la cloche sur la partie avant du navire et de plus, sur la partie arrière, à des intervalles ne dépassant pas une minute, faire entendre un gong ou tout autre instrument dont le son ne peut être confondu avec celui de la cloche.

(e.) Tout navire qui remorque, tout navire employé à poser ou à lever un câble ~~télégraphique sous-marin~~, tout navire faisant route et ne pouvant se déranger de la route d'un navire qui s'approche parce qu'il n'est pas maître de sa manœuvre et qui ne peut manœuvrer comme l'exige ce Règlement, devra, au lieu des signaux prescrits aux paragraphes (a), (b) et (c) du présent Article, faire entendre, à des intervalles ne dépassant pas deux minutes, trois sons consécutifs, savoir: un son prolongé suivi de deux sons brefs. ~~Un navire remorque peut faire ce signal, mais il n'en fera pas d'autre.~~

Un navire remorqué, ou s'il en est remorqué plus d'un, le dernier navire du convoi devra, à des intervalles ne dépassant pas deux minutes, faire entendre quatre sons consécutifs, c'est-à-dire un son prolongé, suivi de trois sons brefs; ce signal n'est pas obligatoire dans le cas où il ne serait pas possible d'embarquer du personnel à bord du navire remorqué.

Quand il sera possible, le navire remorqué devra faire entendre ce signal immédiatement après le signal fait par le navire remorqueur.

(f.) Tout navire échoué dans un chenal ou à proximité d'un chenal émettra le signal prescrit au paragraphe (d) et, de plus, devra faire entendre trois sons de cloche séparés et distincts immédiatement avant et après chaque signal.

Les navires à voiles et embarcations d'un tonnage brut de moins de 20 tonnes ne sont pas astreints à faire les signaux mentionnés ci-dessus; mais s'ils ne les font pas, ils doivent faire tout autre signal phonique d'une intensité suffisante à des intervalles ne dépassant pas une minute.*

* Les bateaux-pilotes à vapeur des Pays-Bas quand ils sont à leur station en service de pilotage, par temps de brume, de brouillard, de neige ou pendant les forts grains de pluie, sont astreints à intervalles de deux minutes au plus à faire entendre un son prolongé de la sirène suivi à une seconde d'intervalle par un son prolongé du sifflet à vapeur, suivi de nouveau à une seconde d'intervalle d'un son prolongé de la sirène. Quand ils ne sont pas à leur station en service de pilotage ils font entendre les mêmes signaux que les autres navires à vapeur. [Footnote in the original.]

Fog, etc.

SPEED OF SHIPS TO BE MODERATE IN FOG, &c.

ARTICLE 16.

Speed limitations,
etc.

Every vessel shall, in a fog, mist, falling snow, or heavy rain-storms, go at a moderate speed, having careful regard to the existing circumstances and conditions.

A steam vessel hearing, apparently forward of her beam, the fog-signal of a vessel the position of which is not ascertained, shall, so far as the circumstances of the case admit, stop her engines, and then navigate with caution until danger of collision is over.

Steering and sailing
rules.*Steering and Sailing Rules.**Preliminary—Risk of Collision.*

Risk of collision can, when circumstances permit, be ascertained by carefully watching the compass bearing of an approaching vessel. If the bearing does not appreciably change, such risk should be deemed to exist.

ARTICLE 17.

When two sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other, as follows, viz.:—

- (a.) A vessel which is running free shall keep out of the way of a vessel which is close-hauled.
- (b.) A vessel which is close-hauled on the port tack shall keep out of the way of a vessel which is close-hauled on the starboard tack.
- (c.) When both are running free, with the wind on different sides, the vessel which has the wind on the port side shall keep out of the way of the other.
- (d.) When both are running free, with the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward.
- (e.) A vessel which has the wind aft shall keep out of the way of the other vessel.

ARTICLE 18.

When two steam vessels are meeting end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other.

This Article only applies to cases where vessels are meeting end on, or nearly end on, in such a manner as to involve risk of collision, and does not apply to two vessels which must, if both keep on their respective courses, pass clear of each other.

LA VITESSE DES NAVIRES DOIT ÊTRE MODÉRÉE PAR TEMPS DE BRUME, &c.

ARTICLE 16.

Tout navire, par temps de brume, de brouillard, de bruine, de neige, ou pendant les forts grains de pluie, doit aller à une vitesse modérée, en tenant attentivement compte des circonstances et des conditions existantes.

Tout navire à vapeur, en entendant, dans une direction qui lui paraît être sur l'avant de son travers, le signal de brume d'un navire dont la position est incertaine, doit, autant que les circonstances du cas le comportent, stopper sa machine et ensuite naviguer avec précaution jusqu'à ce que le danger de collision soit passé.

Règles de Barres et de Route.

Préliminaires—Risque de Collision.

Le risque de collision peut, quand les circonstances le permettent, être constaté par l'observation attentive du relèvement au compas d'un navire qui s'approche. Si ce relèvement ne change pas d'une façon appréciable, on doit en conclure que ce risque existe.

ARTICLE 17.

Lorsque deux navires à voiles s'approchent l'un de l'autre, de manière à faire craindre une collision, l'un d'eux doit s'écarter de la route de l'autre comme il suit, savoir:

- (a.) Tout navire courant large doit s'écarter de la route d'un navire qui est au plus près.
- (b.) Tout navire qui court au plus près bâbord armures doit s'écarter de la route d'un navire qui est au plus près tribord amures.
- (c.) Lorsque deux navires courent large avec le vent de bords opposés, celui qui reçoit le vent de bâbord doit s'écarter de la route de l'autre.
- (d.) Lorsque deux navires courent large avec le vent du même bord, celui qui est au vent doit s'écarter de la route de celui qui est sous le vent.
- (e.) Tout navire vent arrière doit s'écarter de la route d'un autre navire.

ARTICLE 18.

Lorsque deux navires marchant à la vapeur font des routes directement opposées ou à peu près opposées, de manière à faire craindre une collision, chacun d'eux doit venir sur tribord de manière à passer par bâbord l'un de l'autre.

Cet article ne s'applique qu'aux cas où les navires ont le cap l'un sur l'autre ou presque l'un sur l'autre, en suivant des directions opposées, de telle sorte que la collision soit à craindre; il ne s'applique pas à deux navires qui, s'ils continuent leurs routes respectives, se croisent sûrement sans se toucher.

The only cases to which it does apply are when each of the two vessels is end on, or nearly end on, to the other; in other words, to cases in which, by day, each vessel sees the masts of the other in a line, or nearly in a line, with her own; and, by night, to cases in which each vessel is in such a position as to see both the side-lights of the other.

It does not apply, by day, to cases in which a vessel sees another ahead crossing her own course; or by night, to cases where the red light of one vessel is opposed to the red light of the other, or where the green light of one vessel is opposed to the green light of the other, or where a red light without a green light, or a green light without a red light, is seen ahead, or where both green and red lights are seen anywhere but ahead.

ARTICLE 19.

When two steam vessels are crossing, so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way of the other.

ARTICLE 20.

When a steam vessel and a sailing vessel are proceeding in such directions as to involve risk of collision, the steam vessel shall keep out of the way of the sailing vessel.

ARTICLE 21.

Where by way of these Rules one of two vessels is to keep out of the way, the other shall keep her course and speed.

NOTE.—When, in consequence of thick weather or other causes, such vessel finds herself so close that collision cannot be avoided by the action of the giving-way vessel alone, she also shall take such action as will best aid to avert collision. (See Articles 27 and 29.)

Post, pp. 1302, 1303

ARTICLE 22.

Every vessel which is directed by these Rules to keep out of the way of another vessel shall, if the circumstances of the case admit, avoid crossing ahead of the other.

ARTICLE 23.

Every steam vessel which is directed by these Rules to keep out of the way of another vessel shall, on approaching her, if necessary, slacken her speed or stop or reverse.

ARTICLE 24.

Notwithstanding anything contained in these Rules, every vessel, overtaking any other, shall keep out of the way of the overtaken vessel.

Les seuls cas que vise cet article sont ceux dans lesquels chacun des deux bâtiments a le cap sur l'autre; en d'autres termes, les cas dans lesquels, pendant le jour, chaque bâtiment voit les mâts de l'autre navire l'un par l'autre ou à très peu près l'un par l'autre et tout à fait ou à très peu près dans le prolongement de son cap; et, pendant la nuit, le cas où chaque bâtiment est placé de manière à voir à la fois les deux feux de côté de l'autre.

Il ne s'applique pas au cas où, pendant le jour, un bâtiment en aperçoit un autre droit devant lui et coupant sa route, ni au cas où, pendant la nuit, chaque bâtiment présentant son feu rouge voit le feu de même couleur de l'autre, où chaque bâtiment présentant son feu vert voit le feu de même couleur de l'autre; ni aux cas où un bâtiment aperçoit droit devant lui un feu rouge sans voir de feu vert, ou aperçoit droit devant lui un feu vert sans voir de feu rouge; enfin, ni au cas où un bâtiment aperçoit à la fois un feu vert et un feu rouge dans toute autre direction que droit devant ou à peu près.

ARTICLE 19.

Lorsque deux navires marchant à la vapeur font des routes qui se croisent, de manière à faire craindre une collision, le bâtiment qui voit l'autre par tribord doit s'écarter de la route de cet autre navire.

ARTICLE 20.

Lorsque deux navires, l'un à vapeur, l'autre à voiles, courent de manière à risquer de se rencontrer, le navire sous vapeur doit s'écarter de la route de celui qui est à voiles.

ARTICLE 21.

Quand, d'après les règles tracées ci-dessus, l'un des navires doit changer sa route, l'autre bâtiment doit conserver la sienne et maintenir sa vitesse.

NOTA.—Il peut se faire, par suite de temps couvert ou pour d'autres causes, que deux navires viennent à se trouver tellement rapprochés l'un de l'autre que la collision ne puisse être évitée par la manœuvre seule de celui qui doit laisser la route libre; dans ce cas, l'autre doit faire, de son côté, telle manœuvre qu'il jugera la meilleure pour empêcher l'abordage. (Voir Articles 27 et 29.)

ARTICLE 22.

Tout navire qui est tenu, d'après ces règles, de s'écarter de la route d'un autre navire doit, si les circonstances de la rencontre le permettent, éviter de couper la route de l'autre navire sur l'avant de celui-ci.

ARTICLE 23.

Tout navire à vapeur qui est tenu, d'après ces règles, de s'écarter de la route d'un autre navire, doit, s'il s'approche de celui-ci, ralentir au besoin sa vitesse, ou même stopper ou marcher en arrière, si les circonstances le rendent nécessaire.

ARTICLE 24.

Quelles que soient les prescriptions des articles qui précèdent, tout bâtiment qui en rattrape un autre doit s'écarter de la route de dernier.

Every vessel coming up with another vessel from any direction more than two points abaft her beam, *i. e.*, in such a position, with reference to the vessel which she is overtaking, that at night she would be unable to see either of that vessel's side-lights, shall be deemed to be an overtaking vessel; and no subsequent alteration of the bearing between the two vessels shall make the overtaking vessel a crossing vessel within the meaning of these Rules, or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

As by day the overtaking vessel cannot always know with certainty whether she is forward or abaft this direction from the other vessel, she should, if in doubt, assume that she is an overtaking vessel and keep out of the way.

ARTICLE 25.

In narrow channels every steam vessel shall, when it is safe and practicable, keep to that side of the fairway or mid-channel which lies on the starboard side of such vessel.

ARTICLE 26.

Sailing vessels under way shall keep out of the way of sailing vessels or boats fishing with nets, or lines, or trawls. This Rule shall not give to any vessel or boat engaged in fishing the right of obstructing a fair-way used by vessels other than fishing-vessels or boats.

ARTICLE 27.

In obeying and construing these Rules, due regard shall be had to all dangers of navigation and collision, and to any special circumstances which may render a departure from the above Rules necessary in order to avoid immediate danger.

Vessels in sight of
one another.

SOUND-SIGNALS FOR VESSELS IN SIGHT OF ONE ANOTHER.

ARTICLE 28.

Sound-signals.

The words "short blast" used in this Article shall mean a blast of about one second's duration.

When vessels are in sight of one another, a steam vessel under way, in taking any course authorized or required by these Rules, shall indicate that course by the following signals on her whistle or siren, *viz.*:—

One short blast to mean, "I am directing my course to starboard."
Two short blasts to mean, "I am directing my course to port."
Three short blasts to mean, "My engines are going full speed
astern."

Tout navire qui se rapproche d'un autre en venant d'une direction de plus de 2 quarts sur l'arrière du travers de ce dernier, c'est-à-dire qui se trouve dans une position telle, par rapport au navire qui est rattrapé, qu'il ne pourrait, pendant la nuit, apercevoir aucun des deux feux de côté de celui-ci, doit être considéré comme un navire qui en rattrape un autre; et aucun changement ultérieur dans le relèvement entre les deux bâtiments ne pourra faire considérer le navire qui rattrape l'autre comme croisant la route de ce dernier au sens propre de ces règles, et ne pourra l'affranchir de l'obligation de s'écarter de la route du navire rattrapé jusqu'à ce qu'il l'ait tout a fait dépassé et paré.

Pendant le jour, un bâtiment qui rattrape un autre bâtiment ne pouvant pas toujours reconnaître avec certitude s'il est sur l'avant ou sur l'arrière de cette direction par rapport à ce dernier, doit, s'il y a doute, se considérer comme un navire qui en rattrape un autre et s'écarter de la route de celui-ci.

ARTICLE 25.

Dans les passes étroites, tout navire à vapeur doit, quand la prescription est d'une exécution possible et sans danger pour lui prendre la droite du chenal ou du milieu du passage.

ARTICLE 26.

Tout navire à voiles faisant route doit s'écarter de la route des navires à voiles ou embarcations pêchant avec des filets, des lignes ou des chaluts. Cette prescription ne donne pas aux navires ou embarcations, qui sont occupés à une opération de pêche, le droit d'obstruer un chenal fréquenté par des navires autres que des navires ou embarcations de pêche.

ARTICLE 27.

En suivant et en interprétant les prescriptions qui précèdent, on doit tenir compte de tous les dangers de navigation et de collision, ainsi que des circonstances particulières qui peuvent forcer de s'écarter de ces règles pour éviter un danger immédiat.

SIGNAUX PHONIQUES POUR LES NAVIRES QUI S'APERÇOIVENT L'UN L'AUTRE.

ARTICLE 28.

Les mots "son bref" employés dans cet article signifient un son d'environ une seconde de durée.

Lorsque des navires sont en vue l'un de l'autre, un navire à vapeur qui est en marche doit, en changeant sa route conformément à l'autorisation ou aux prescriptions de ce règlement, indiquer ce changement par les signaux suivants faits au moyen de son sifflet ou de sirène, savoir:

Un son bref pour dire: "Je viens sur tribord." Deux sons brefs pour dire: "Je viens sur bâbord." Trois sons brefs pour dire: "Je marche en arrière à toute vitesse."

NO VESSEL UNDER ANY CIRCUMSTANCES TO NEGLECT PROPER PRECAUTIONS.

ARTICLE 29.

No vessel to neglect
proper precautions

Nothing in these Rules shall exonerate any vessel, or the owner, or master, or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper look-out, or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

RESERVATION OF RULES FOR HARBOURS AND INLAND NAVIGATION.

ARTICLE 30.

Reservation of rules
for harbors and inland
navigation

Nothing in these Rules shall interfere with the operation of a special rule, duly made by local authority, relative to the navigation of any harbour, river, or inland waters.

DISTRESS SIGNALS.

ARTICLE 31.

Distress signals.

When a vessel is in distress and requires assistance from other vessels or from the shore, the following shall be the signals to be used or displayed by her, either together or separately, viz.:—

In the daytime—

1. A gun or other explosive signal fired at intervals of about a minute;
2. The International Code signal of distress; indicated by N.C.
3. The ~~distant~~ distance signal, consisting of a square flag, having either above or below it a ball or anything resembling a ball;
4. A continuous sounding with any fog-signal apparatus;
5. *The international distress signal made by radiotelegraphy or radiotelephony, or by any other distance signalling method.*

At night—

1. A gun or other explosive signal fired at intervals of about a minute;
2. Flames on the vessel (as from a burning tar-barrel, oil-barrel, &c.);
3. Rockets or shells, throwing stars of any colour or description, fired one at a time, at short intervals;
4. A continuous sounding with any fog-signal apparatus;
5. *The international distress signal made by radiotelegraphy or radiotelephony, or by any other distance signalling method.*

The use of any of the above signals, except for the purpose of indicating that a vessel is in distress, and the use of any signals which may be confused with any of the above signals, is prohibited.

OBSERVATION ABSOLUE, EN TOUTES CIRCONSTANCES,
DES PRÉCAUTIONS ÉLÉMENTAIRES.

ARTICLE 29.

Rien de ce qui est prescrit dans ces règles ne doit exonérer un navire ou son propriétaire, ou son capitaine, ou son équipage, des conséquences d'une négligence quelconque, soit au sujet des feux ou des signaux, soit de la part des hommes de veille, soit enfin au sujet de toute précaution que commandent l'expérience ordinaire du marin et les circonstances particulières dans lesquelles se trouve le bâtiment.

RÉSERVE RELATIVE AUX RÈGLES DE NAVIGATION
DANS LES PORTS ET À L'INTÉRIEUR DES TERRES.

ARTICLE 30.

Rien dans ces règles ne doit entraver l'application des règles spéciales, dûment édictées par l'autorité locale, relativement à la navigation dans une rade, dans une rivière ou dans une étendue d'eau intérieure quelconque.

SIGNAUX DE DÉTRESSE.

ARTICLE 31.

Lorsqu'un bâtiment est en détresse et demande des secours à d'autres navires ou à la terre, il doit faire usage des signaux suivants, ensemble ou séparément, savoir:

Pendant le jour:

1. Coups de canon ou autres signaux explosifs tirés à des intervalles d'une minute environ.
2. Le signal de détresse du Code international, ~~indiqué par les signes NC.~~
3. Le signal de grande distance consistant en un pavillon carré, ayant au-dessus un ballon ou quelque chose ressemblant à un ballon.
4. Un son continu produit par un appareil quelconque pour signaux de brume.
5. *Le signal international de détresse radiotélégraphique ou radiotéléphonique ou autre système de signalisation à grande distance.*

Pendant la nuit:

1. Coups de canon ou autres signaux explosifs tirés à intervalles d'une minute environ.
2. Flammes sur le navire, telles qu'on peut en produire en brûlant un baril de goudron, à huile, &c.
3. Fusées ou bombes projetant des étoiles de toutes couleurs et de tous genres, ces fusées et bombes lancées une à une à de courts intervalles.
4. Un son continu produit par un appareil quelconque pour signaux de brume.
5. *Le signal international de détresse radiotélégraphique ou radiotéléphonique ou tout autre système de signalisation à grande distance.*

Est interdit, l'usage de l'un quelconque des signaux ci-dessus sauf dans le but d'indiquer qu'un navire est en détresse et l'usage de tout signal susceptible d'être confondu avec un des signaux ci-dessus.

Ante, p. 1184.

AND WHEREAS the said Convention, in accordance with a provision of Article 65 thereof, came into force on January 1, 1933, three months after the date of deposit with the Government of the United Kingdom of Great Britain and Northern Ireland on October 1, 1932, of the fifth ratification thereof;

AND WHEREAS the said Article 65 further provides that ratifications deposited after the date on which the Convention has come into force shall take effect three months after the date of their deposit;

Ratification by
United States subject
to certain understand-
ings

AND WHEREAS the ratification of the said Convention by the Government of the United States of America was deposited with the Government of the United Kingdom of Great Britain and Northern Ireland on August 7, 1936,¹ subject to three understandings as follows:

"(1) That nothing in this convention shall be so construed as to authorize any person to hold any seaman, whether a citizen of the United States of America or an alien, on board any merchant vessel, domestic or foreign, against his will in a safe harbor within the jurisdiction of the United States of America, when such seaman has been officially admitted thereto as a member of the crew of such vessel or to compel such seaman to proceed to sea on such vessel against his will;

38 Stat. 1165
46 U. S. C. § 507

"(2) That nothing in this convention shall be so construed as to nullify or modify Section 4 of the Seaman's Act approved March 4, 1915, 38 Stat. 1164, as interpreted by the Supreme Court of the United States in *Strathearn vs. Dillon*, 252 U. S. 348, and

Ante, p. 1178.

"(3) That nothing in this convention shall be so construed as to prevent the officers of the United States of America who exercise the control over vessels provided for in Article 54 from making such inspection of any vessel within the jurisdiction of the United States as may be necessary to determine that the condition of the vessel's seaworthiness corresponds substantially with the particulars set forth in its certificate, that the vessel is sufficiently and efficiently manned, and that it may proceed to sea without danger to either passengers or crew, or to prevent such officers from withholding clearance to any vessel which they find may not proceed to sea with safety, until such time as any such vessel shall be put in condition so that it can proceed to sea without danger to the passengers or crew."

¹ Before Aug. 7, 1936, ratifications had been deposited with the British Foreign Office by all the other signatory countries, namely:

Australia, Belgium, Canada, Denmark, Finland, France, Germany, India, Irish Free State, Italy, Japan, the Netherlands, Norway, Spain, Sweden, the Union of Soviet Socialist Republics, and the United Kingdom of Great Britain and Northern Ireland.

Before Aug. 7, 1936, notices of adherence had been received by the British Foreign Office from the following countries:

Argentina, Brazil, Bulgaria, China, Danzig, Egypt, Estonia, Hungary, Iceland, Italian Colonies of Libya, Eritrea and Somaliland and Italian Islands of the Aegean, Japan for Chosen, Taiwan, and Leased Territory of Kwantung, Netherlands Indies, New Zealand, Panama, Poland, Portugal, and the United Kingdom for Hong Kong and the Straits Settlements.—EDITOR.

NOW, THEREFORE, be it known that I, FRANKLIN D. ROOSEVELT, President of the United States of America, have caused the said Convention to be made public, to the end that, subject to the understandings aforesaid, the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof on and after November 7, 1936, the day on which the Convention shall take effect with respect to the United States of America.

Proclamation.

Effective date.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this thirtieth day of September in the year of our Lord one thousand nine hundred and [SEAL] thirty-six, and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

May 6, 1936
[T. S. No. 911] *Supplementary extradition convention between the United States of America and Denmark. Signed at Washington, May 6, 1936; ratification advised by the Senate, June 16, 1936; ratified by the President, June 20, 1936; ratified by Denmark, July 6, 1936; ratifications exchanged at Washington, September 30, 1936; proclaimed, October 7, 1936.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Supplementary extradition convention with Denmark
Preamble

WHEREAS a supplementary extradition convention between the United States of America and the Kingdom of Denmark was concluded and signed by their respective Plenipotentiaries at Washington, on the sixth day of May, one thousand nine hundred and thirty-six, the original of which supplementary extradition convention, being in the English and Danish languages, is word for word as follows:

Contracting Powers.

The President of the United States of America and His Majesty the King of Denmark and Iceland, agreeing to add to the list of extraditable crimes mentioned in Article II of the treaty for the extradition of criminals, signed at Washington on January 6, 1902, and in Article II of the additional convention, signed November 6, 1905, by means of an additional convention, have to that end appointed as their plenipotentiaries:

32 Stat 1908.

34 Stat 2888.

Plenipotentiaries.

The President of the United States of America:

Cordell Hull, Secretary of State of the United States of America; and

His Majesty the King of Denmark and Iceland:

Mr. Otto Wadsted, His Envoy Extraordinary and Minister Plenipotentiary at Washington;

Who, after having communicated to each other their respective full powers, found in due and good form, have agreed upon the following articles:

Amerikas Forenede Staters Præsident og Hans Majestæt Kongen af Danmark og Island, der er enige om ved en Tillægskonvention at gøre en Tilføjelse til Fortegnelsen over de Forbrydelser, for hvilke Udlevering skal tilstaaes, og hvilke er anført i Artikel II i Traktaten angaaende Udlevering af Forbrydere, undertegnet i Washington den 6' Januar 1902 og i Artikel II i Tillægskonventionen, undertegnet den 6' November 1905, har i dette Øjemed udnævnt til deres Befuldmægtigede:

Amerikas Forenede Staters Præsident:

Cordell Hull, Amerikas Forenede Staters Statssekretær; og

Hans Majestæt Kongen af Danmark og Island:

Sin Overordentlige Gesandt og Befuldmægtigede Minister i Washington, Hr. Otto Wadsted;

Hvilke, efter at have meddelt hinanden deres respektive Fuldmagter, som fandtes i god og behørig Form, er kommet overens om følgende Artikler:

ARTICLE I

In addition to the crimes and offenses mentioned in Article II of the treaty between the United States of America and Denmark for the extradition of criminals, signed at Washington on January 6, 1902, and in Article II of the additional convention, signed on November 6, 1905, extradition shall be granted also for:

Crimes and offenses against the bankruptcy laws, provided the act in the United States of America is punishable as a felony and in Denmark may involve punishment of imprisonment for one year or a more severe penalty.

ARTICLE II

The present convention shall be considered as an integral part of the said extradition treaty of January 6, 1902, and shall be ratified according to the respective laws of the two contracting parties. The ratifications shall be exchanged at Washington as soon as possible.

In Testimony Whereof, the respective plenipotentiaries have signed the present convention both in the English and Danish languages and have affixed their seals to it.

Done in duplicate, at the City of Washington, this sixth day of May, nineteen hundred and thirty-six.

ARTIKEL I

Foruden de Forbrydelser og Forseelser, der er opregnet i Artikel II i Traktaten mellem Amerikas Forenede Stater og Danmark angaaende Udlevering af Forbrydere, undertegnet i Washington den 6' Januar 1902, og i Artikel II i Tillægskonventionen, undertegnet den 6' November 1905, skal Udlevering tilstaaes ogsaa for:

Konkursforbrydelser, forudsat at Handlingen i Amerikas Forenede Stater er strafbar som "felony" og i Danmark kan medføre Straf af Fængsel af et Aar eller strengere Straf.

Addition to extraditable crimes
32 Stat 1908.

34 Stat 2888

Crimes and offenses against bankruptcy laws.

ARTIKEL II

Nærværende Konvention skal betragtes som en integrerende Del af nævnte Udleveringstraktat af 6' Januar 1902 og skal ratificeres i Overensstemmelse med de to kontraherende Parters respektive Lovgivning. Ratifikationerne skal udveksles i Washington saa snart som muligt.

Til Bekræftelse heraf har de respektive Befuldmægtigede undertegnet nærværende Konvention baade i det engelske og i det danske Sprog samt forsynet den med deres Segl.

Udfærdiget i Washington i to Eksemplarer den sjette Maj, nitten Hundrede og seks og tredive.

Considered part of former treaty.

Ratification

Signatures.

CORDELL HULL [SEAL]

OTTO WADSTED [SEAL]

Ratifications
changed.

ex-

AND WHEREAS the said supplementary extradition convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Washington, on the thirtieth day of September, one thousand nine hundred and thirty-six;

Proclamation.

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said supplementary extradition convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this seventh day of October in the year of our Lord one thousand nine hundred and thirty-six, and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

WILBUR J CARR

Acting Secretary of State.

Convention between the United States of America and Mexico for the protection of migratory birds and game mammals. Signed at Mexico City, February 7, 1936; ratification advised by the Senate, April 30, 1936; ratified by the President, October 8, 1936; ratified by Mexico, February 12, 1937; ratifications exchanged at Washington, March 15, 1937; proclaimed, March 15, 1937.

February 7, 1936
[T. S. No. 912]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

WHEREAS a convention between the United States of America and the United Mexican States providing for the protection of migratory birds and game mammals was concluded and signed by their respective plenipotentiaries at the city of Mexico on the seventh day of February, one thousand nine hundred and thirty-six, the original of which convention, being in the English and Spanish languages, is word for word as follows:

Migratory birds and
game mammals in
United States and
Mexico.
Preamble.

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED MEXICAN STATES FOR THE PROTECTION OF MIGRATORY BIRDS AND GAME MAMMALS.

CONVENIO ENTRE LOS ESTADOS UNIDOS DE NORTEAMERICA Y LOS ESTADOS UNIDOS MEXICANOS PARA LA PROTECCION DE AVES MIGRATORIAS Y DE MAMIFEROS CINEGETICOS.

Whereas, some of the birds denominated migratory, in their movements cross the United States of America and the United Mexican States, in which countries they live temporarily;

Whereas it is right and proper to protect the said migratory birds, whatever may be their origin, in the United States of America and the United Mexican States, in order that the species may not be exterminated;

Whereas, for this purpose it is necessary to employ adequate measures which will permit a rational utilization of migratory birds for the purposes of sport as well as for food, commerce and industry;

The Governments of the two countries have agreed to conclude a Convention which will satisfy the above mentioned need and to that end have appointed as their respective plenipotentiaries: The Honorable Josephus Daniels representing the President of

Considerando que algunas de las aves llamadas migratorias en sus viajes cruzan los Estados Unidos de Norteamérica y los Estados Unidos Mexicanos, en cuyos países temporalmente habitan;

Considerando que es justo y conveniente proteger dichas aves migratorias, cualquiera que sea su origen, en los Estados Unidos de Norteamérica y en los Estados Unidos Mexicanos para que no se extingan sus especies;

Considerando que para el fin indicado es necesario emplear métodos adecuados que permitan utilizar racionalmente las aves migratorias tanto en el deporte cuanto para la alimentación, el comercio y la industria;

Los Gobiernos de ambos países han convenido en formalizar una Convención que satisfaga la necesidad apuntada y para el efecto han nombrado sus respectivos Plenipotenciarios:

El señor Josephus Daniels, representando al Presidente de los

Plenipotentiaries.

the United States of America, Franklin D. Roosevelt and the Honorable Eduardo Hay, representing the President of the United Mexican States, General Lázaro Cárdenas, who, having exhibited to each other and found satisfactory their respective full powers, conclude the following Convention:

Estados Unidos Norteamericanos, Franklin D. Roosevelt, y el señor Eduardo Hay, representando al Presidente de los Estados Unidos Mexicanos, General de División Lázaro Cárdenas, quienes exhibieron a satisfacción sus respectivos Plenos Poderes, formalizan la siguiente Convención:

ARTICLE I.

ARTÍCULO I

Purpose declared.

In order that the species may not be exterminated, the high contracting parties declare that it is right and proper to protect birds denominated as migratory, whatever may be their origin, which in their movements live temporarily in the United States of America and the United Mexican States, by means of adequate methods which will permit, in so far as the respective high contracting parties may see fit, the utilization of said birds rationally for purposes of sport, food, commerce and industry.

Las Altas Partes Contratantes declaran que es justo y conveniente proteger las aves llamadas migratorias, cualquiera que sea su origen, que en sus viajes habiten temporalmente en los Estados Unidos de Norteamérica y en los Estados Unidos Mexicanos, por medio de procedimientos adecuados, hasta donde las Altas Partes Contratantes determinen, que permitan utilizar dichas aves racionalmente, con fines deportistas, de alimentación, de comercio y de industria, a fin de que sus especies no se extingan.

ARTICLE II.

ARTÍCULO II

Laws and other provisions

The high contracting parties agree to establish laws, regulations and provisions to satisfy the need set forth in the preceding Article, including:

Las Altas Partes Contratantes convienen en dictar las Leyes, Reglamentos y Disposiciones conducentes para satisfacer la necesidad indicada en el artículo precedente, incluyendo:

Close seasons.

A)–The establishment of close seasons, which will prohibit in certain periods of the year the taking of migratory birds, their nests or eggs, as well as their transportation or sale, alive or dead, their products or parts, except when proceeding, with appropriate authorization, from private game farms or when used for scientific purposes, for propagation or for museums.

A)–La fijación de vedas, que prohiban en determinada época del año la captura de las aves migratorias y sus nidos y huevos, así como que se pongan en circulación o venta vivas o muertas, sus productos y despojos, excepción hecha de cuando procedan de reservas o criaderos particulares y cuando se utilicen con fines científicos, de propagación y para museos, con la autorización correspondiente.

Refuge zones.

B)–The establishment of refuge zones in which the taking of such birds will be prohibited.

B)–La determinación de zonas de refugio en las que estará prohibida la captura de dichas aves.

Hunting season limitation.

C)–The limitation of their hunting to four months in each year, as a maximum, under permits issued by the respective authorities in each case.

C)–La limitación a cuatro meses como máximo en cada año el ejercicio de la caza, mediante permiso de las autoridades respectivas en cada caso.

D)–The establishment of a close season for wild ducks from the tenth of March to the first of September.

E)–The prohibition of the killing of migratory insectivorous birds, except when they become injurious to agriculture and constitute plagues, as well as when they come from reserves or game farms: provided however that such birds may be captured alive and used in conformity with the laws of each contracting country.

F)–The prohibition of hunting from aircraft.

D).–La veda para patos del diez de marzo al primero de septiembre.

E).–La prohibición de matar aves migratorias insectívoras, con excepción de los casos en que perjudiquen la agricultura y constituyan plagas, así como también cuando procedan de reservas o criaderos; entendiéndose que dichas aves podrán capturarse y utilizarse vivas conforme a las leyes respectivas de cada país contratante.

F).–La prohibición de cazar a bordo de aeronaves.

Protection of wild ducks

Insectivorous birds.

Hunting from aircraft

ARTICLE III

The high contracting parties respectively agree, in addition, not to permit the transportation over the American-Mexican border of migratory birds, dead or alive, their parts or products, without a permit of authorization provided for that purpose by the government of each country, with the understanding that in the case that the said birds, their parts or products are transported from one country to the other without the stipulated authorization, they will be considered as contraband and treated accordingly.

ARTÍCULO III

Las Altas Partes Contratantes convienen, además, en no permitir que por la frontera norteamericana-mexicana sean transportadas aves migratorias vivas o muertas y sus productos y despojos, sin que lleven como guía la autorización que para el efecto expida el Gobierno de cada país, en la inteligencia de que en el caso de que sean transportadas dichas aves y sus productos y despojos de un país al otro sin la expresada autorización, se considerará ese hecho como contrabando para los efectos legales correspondientes.

Transportation over border

Permits

ARTICLE IV.

The high contracting parties declare that for the purposes of the present Convention the following birds shall be considered migratory:

ARTÍCULO IV

Las Altas Partes Contratantes declaran que para los efectos del presente convenio se considerarán aves migratorias las siguientes:

Declaration of terms

MIGRATORY GAME BIRDS.

- Familia Anatidae.
- Familia Gruidae.
- Familia Rallidae.
- Familia Charadriidae.
- Familia Scolopacidae.
- Familia Recurvirostridae.
- Familia Phalaropodidae.
- Familia Columbidae.

AVES MIGRATORIES DE CAZA.

- Familia Anatidae.
- Familia Gruidae.
- Familia Rallidae.
- Familia Charadriidae.
- Familia Scolopacidae.
- Familia Recurvirostridae.
- Familia Phalaropodidae.
- Familia Columbidae.

Migratory game birds

MIGRATORY NON-GAME BIRDS.

- Familia Cuculidae.
- Familia Caprimulgidae.

AVES MIGRATORIAS NO DE CAZA.

- Familia Cuculidae.
- Familia Caprimulgidae.

Migratory non-game birds.

Familia Micropodidae.
Familia Trochilidae.
Familia Picidae.
Familia Tyrannidae.
Familia Alaudidae.
Familia Hirundinidae.
Familia Paridae.
Familia Certhiidae.
Familia Troglodytidae.
Familia Turdidae.
Familia Mimidae.
Familia Sylviidae.
Familia Motacillidae.
Familia Bombycillidae.
Familia Ptilogonatidae.
Familia Laniidae.
Familia Vireonidae.
Familia Compothlypidae.
Familia Icteridae.
Familia Thraupidae.
Familia Fringillidae.

Others by common
agreement

Others which the Presidents of
the United States of America and
the United Mexican States may
determine by common agreement.

ARTICLE V.

Stipulations appli-
cable to game mam-
mals.

The high contracting parties
agree to apply the stipulations set
forth in Article III with respect
to the game mammals which live
in their respective countries.

ARTICLE VI.

Ratification.

Duration.

Signatures.

This Convention shall be rati-
fied by the high contracting
parties in accordance with their
constitutional methods and shall
remain in force for fifteen years
and shall be understood to be ex-
tended from year to year if the
high contracting parties have not
indicated twelve months in ad-
vance their intention to terminate
it.

The respective plenipotentiaries
sign the present Convention in
duplicate in English and Spanish,
affixing thereto their respective
seals, in the City of Mexico, the
seventh day of February of 1936.

JOSEPHUS DANIELS
[SEAL]

Familia Micropodidae.
Familia Trochilidae.
Familia Picidae.
Familia Tyrannidae.
Familia Alaudidae.
Familia Hirundinidae.
Familia Paridae.
Familia Certhiidae.
Familia Troglodytidae.
Familia Turdidae.
Familia Mimidae.
Familia Sylviidae.
Familia Motacillidae.
Familia Bombycillidae.
Familia Ptilogonatidae.
Familia Laniidae.
Familia Vireonidae.
Familia Compothlypidae.
Familia Icteridae.
Familia Thraupidae.
Familia Fringillidae.

Las demás que el Presidente de
los Estados Unidos de Norte-
américa y el de los Estados
Unidos Mexicanos determinen de
común acuerdo.

ARTÍCULO V

Las Altas Partes Contratantes
convienen en aplicar las estipula-
ciones contenidas en el artículo
III respecto de los mamíferos
cinegéticos que habitan en sus
respectivos países.

ARTÍCULO VI

Esta Convención será ratificada
por las Altas Partes Contratantes
de acuerdo con sus procedimientos
constitucionales y quedará en
vigor durante 15 años, que se
entenderán prorrogados por anua-
lidades si las mismas Altas
Partes Contratantes no manifies-
tan con doce meses de anticipación
su deseo de darla por terminada.

Los Plenipotenciarios respecti-
vos firman la presente Convención
por duplicado en inglés y en
español, poniendo en ella sus res-
pectivos sellos, en la ciudad de
México el día siete del mes de
febrero de 1936.

EDUARDO HAY
[SEAL]

SECRETARIA DE RELACIONES EXTERIORES
ESTADOS UNIDOS MEXICANOS
MEXICO

México, 10 de febrero de 1936.

Señor ENCARGADO DE NEGOCIOS:

Tengo la honra de manifestar a usted, en relación con el Convenio entre los Estados Unidos Mexicanos y los Estados Unidos de Norteamérica para la Protección de Aves Migratorias y de Mamíferos Cinegéticos, firmado en esta ciudad el 7 del mes en curso, que esta Secretaría se permite proponer la ciudad de Washington para los efectos del canje de ratificaciones a que se refiere el artículo VI del Convenio mencionado, tan pronto como sea practicable.

Aprovecho la oportunidad para renovar a usted las seguridades de mi atenta consideración.

EDUARDO HAY

Señor HENRY R. NORWEB,
Encargado de Negocios ad-interim
de los Estados Unidos de América.
*Presente.*¹

No. 1488 EMBASSY OF THE UNITED STATES OF AMERICA,
Mexico, February 11, 1936.

EXCELLENCY:

I have the honor to acknowledge with appreciation Your Excellency's courteous note No. 3, Ref. III/, of February 10, 1936, in which it is suggested with reference to the Convention between the United States of America and the United Mexican States for the Protection of Migratory Birds and Game Mammals signed in this city on the 7th of this month that the ratifications provided for in Article VI of the above-mentioned Convention be exchanged in Washington. It is understood that this proposal is satisfactory to my Government and that the treaty shall take effect on the date of the exchange of ratifications.

Please accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

R. HENRY NORWEB
Chargé d'Affaires ad interim.

His Excellency
Señor General EDUARDO HAY,
Minister for Foreign Affairs,
Mexico.

¹ Following is translation

DEPARTMENT OF FOREIGN RELATIONS
UNITED MEXICAN STATES
MEXICO CITY

MEXICO CITY, February 10, 1936.

Mr. CHARGÉ D'AFFAIRES

I have the honor to advise you, with regard to the Convention between the United Mexican States and the United States of North America for the protection of Migratory Birds and Game Mammals, signed in this city on the 7th instant, that this Department takes the liberty of proposing the city of Washington for the purpose of the exchange of ratifications referred to by Article VI of the said Convention as soon as may be practicable.

I avail myself of the opportunity to renew to you the assurances of my high consideration

EDUARDO HAY

Mr. HENRY R. NORWEB,
Chargé d'Affaires ad interim
of the United States of America,
City

Ratifications ex-
changed.

AND WHEREAS the said convention has been duly ratified on both parts and the ratifications of the two Governments were exchanged in the city of Washington on the fifteenth day of March, one thousand nine hundred and thirty-seven, on which day the convention entered into force in accordance with an understanding reached by an exchange of notes signed on February 10 and February 11, 1936, by the Minister for Foreign Affairs of the United Mexican States and the Chargé d'Affaires of the United States of America at the city of Mexico.

Proclamation

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said convention to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this fifteenth day of March, in the year of our Lord one thousand nine hundred and [SEAL] thirty-seven, and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

Protocol and procès-verbal of deposit of ratifications and accessions between the United States of America and other powers relating to military obligations in certain cases of double nationality. Concluded at The Hague, April 12, 1930; signed on the part of the United States of America, December 31, 1930; ratification advised by the Senate, June 18, 1932; ratified by the President, July 5, 1932; ratification of the United States of America deposited at Geneva, August 3, 1932; proclaimed, April 26, 1937.

April 12, 1930

[T. S. No. 913]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a Protocol relating to military obligations in certain cases of double nationality, dated The Hague April 12, 1930, but left open for signature until December 31, 1930, was signed by the respective Plenipotentiaries of the United States of America; Germany; Austria; Belgium, with a reservation; Great Britain and Northern Ireland and all parts of the British Empire which are not separate members of the League of Nations; Canada; Irish Free State; India, with a reservation; Chile; Colombia; Cuba, *ad referendum*; Denmark; Egypt; Spain; France; Greece, *ad referendum*; Luxemburg; Mexico; the Netherlands, with reservations; Peru; Portugal; Salvador; Sweden; and Uruguay; the original of which Protocol, in the English and French languages, is word for word as follows:

Multilateral protocol, etc., relating to military obligations in certain cases of double nationality.
Preamble
Signatory Powers.

PROTOCOLE RELATIF AUX OBLIGATIONS MILITAIRES DANS CERTAINS CAS DE DOUBLE NATIONALITÉ

LES PLÉNIPOTENTIAIRES SOUSSIGNÉS, au nom de leurs Gouvernements respectifs,

Dans le but de régler certaines situations d'individus possédant deux ou plusieurs nationalités en ce qui concerne leurs obligations militaires,

SONT CONVENUS DES DISPOSITIONS SUIVANTES:

Article premier.

L'individu possédant la nationalité de deux ou de plusieurs pays, qui réside habituellement sur le territoire de l'un d'eux et se rattache en fait le plus à ce pays, sera exempté de toutes obligations militaires dans tout autre de ces pays.

Cette dispense pourra entraîner la perte de la nationalité de tout autre de ces pays.

Article 2.

Sous réserve des dispositions de l'article premier du présent Protocole, si un individu possède la nationalité de deux ou plusieurs États et a, aux termes de la législation de l'un d'eux, le droit, au moment où il atteint sa majorité, de répudier ou de refuser la nationalité dudit État, il sera, pendant sa minorité, exempté de service militaire dans cet État.

Article 3.

L'individu qui a perdu la nationalité d'un État d'après la loi de cet État et a acquis une autre nationalité, sera exempté d'obligations militaires dans le pays dont il a perdu la nationalité.

Article 4.

Les Hautes Parties Contractantes conviennent d'appliquer, dans leurs relations mutuelles, à partir de la mise en vigueur du présent Protocole, les principes et règles insérés aux articles ci-dessus.

L'insertion de ces principes et règles ne préjuge en rien la question de savoir si lesdits principes et règles font ou non partie actuellement du droit international.

Il est en outre entendu qu'en ce qui concerne tout point qui ne fait pas l'objet d'une des dispositions ci-dessus, les principes et règles du droit international demeurent en vigueur.

Article 5.

Rien dans le présent Protocole ne portera atteinte aux dispositions des traités, conventions ou accords en vigueur entre les Hautes Parties Contractantes relatifs à la nationalité ou à des questions s'y rattachant.

PROTOCOL RELATING TO MILITARY OBLIGATIONS IN CERTAIN CASES OF DOUBLE NATIONALITY.

THE UNDERSIGNED PLENIPOTENTIARIES, on behalf of their respective Governments,

Military obligations in certain cases of double nationality.

With a view to determining in certain cases the position as regards their military obligations of persons possessing two or more nationalities,

HAVE AGREED AS FOLLOWS:

Article 1.

A person possessing two or more nationalities who habitually resides in one of the countries whose nationality he possesses, and who is in fact most closely connected with that country, shall be exempt from all military obligations in the other country or countries.

Exemption, except in country where person habitually resides.

This exemption may involve the loss of the nationality of the other country or countries.

Loss of nationality in other country

Article 2.

Without prejudice to the provisions of Article 1 of the present Protocol, if a person possesses the nationality of two or more States and, under the law of any one of such States, has the right, on attaining his majority, to renounce or decline the nationality of that State, he shall be exempt from military service in such State during his minority.

Renunciation, etc

Article 3.

A person who has lost the nationality of a State under the law of that State and has acquired another nationality, shall be exempt from military obligations in the State of which he has lost the nationality.

Loss of nationality under one State and acquisition in another.

Article 4.

The High Contracting Parties agree to apply the principles and rules contained in the preceding articles in their relations with each other, as from the date of the entry into force of the present Protocol.

Mutual application of principles on entry into force of Protocol.

The inclusion of the above-mentioned principles and rules in the said articles shall in no way be deemed to prejudice the question whether they do or do not already form part of international law.

Inclusion of, not to prejudice international law.

It is understood that, in so far as any point is not covered by any of the provisions of the preceding articles, the existing principles and rules of international law shall remain in force.

Article 5.

Nothing in the present Protocol shall affect the provisions of any treaty, convention or agreement in force between any of the High Contracting Parties relating to nationality or matters connected therewith.

Existing treaty, etc., provisions not affected

Article 6.

En signant ou ratifiant le présent Protocole ou en y adhérant, chacune des Hautes Parties Contractantes pourra exclure de son acceptation telle ou telle des dispositions des articles 1 à 3 et 7 au moyen de réserves expresses.

Les dispositions ainsi exclues ne pourront être opposées à la Partie Contractante ayant formulé de telles réserves ni invoquées par elle contre une autre Partie Contractante.

Article 7.

S'il s'élève entre les Hautes Parties Contractantes un différend quelconque relatif à l'interprétation ou à l'application du présent Protocole, et si ce différend n'a pu être résolu de façon satisfaisante par voie diplomatique, il sera réglé conformément aux dispositions, en vigueur entre les Parties, concernant le règlement des différends internationaux.

Au cas où de telles dispositions n'existeraient pas entre les parties au différend, elles le soumettront à une procédure arbitrale ou judiciaire, en se conformant aux lois constitutionnelles de chacune d'elles. A défaut d'accord sur le choix d'un autre tribunal, elles soumettront le différend à la Cour permanente de Justice internationale, si elles sont toutes Parties au Protocole du 16 décembre 1920, relatif à ladite Cour, et, si elles n'y sont pas toutes Parties, à un tribunal d'arbitrage constitué conformément à la Convention de La Haye du 18 octobre 1907 relative au règlement pacifique des conflits internationaux.

Article 8.

Le présent Protocole pourra être signé, jusqu'au 31 décembre 1930, au nom de tout Membre de la Société des Nations ou de tout État non Membre, invité à la première Conférence de Codification ou auquel le Conseil de la Société des Nations aura, à cet effet, communiqué un exemplaire dudit Protocole.

Article 9.

Le présent Protocole sera ratifié et les ratifications seront déposées au Secrétariat de la Société des Nations.

Le Secrétaire général donnera connaissance de chaque dépôt aux Membres de la Société des Nations et aux États non Membres visés à l'article 8, en indiquant la date à laquelle ce dépôt a été effectué.

Article 10.

A partir du 1^{er} janvier 1931, tout Membre de la Société des Nations et tout État non Membre visé à l'article 8, au nom duquel le Protocole n'a pas été signé à cette date, sera admis à y adhérer.

Son adhésion fera l'objet d'un Acte déposé au Secrétariat de la Société des Nations. Le Secrétaire général notifiera chaque adhésion à tous les Membres de la Société des Nations et à tous les États non Membres visés à l'article 8, en indiquant la date à laquelle l'Acte d'adhésion a été déposé.

Article 6.

Any High Contracting Party may, when signing or ratifying the present Protocol or acceding thereto, append an express reservation excluding any one or more of the provisions of Articles 1 to 3 and 7.

Reservations

The provisions thus excluded cannot be applied against the High Contracting Party who has made the reservation nor relied on by that Party against any other High Contracting Party.

Article 7.

If there should arise between the High Contracting Parties a dispute of any kind relating to the interpretation or application of the present Protocol and if such dispute cannot be satisfactorily settled by diplomacy, it shall be settled in accordance with any applicable agreements in force between the Parties providing for the settlement of international disputes.

Settlement of disputes.

In case there is no such agreement in force between the Parties, the dispute shall be referred to arbitration or judicial settlement, in accordance with the constitutional procedure of each of the Parties to the dispute. In the absence of agreement on the choice of another tribunal, the dispute shall be referred to the Permanent Court of International Justice, if all the Parties to the dispute are Parties to the Protocol of the 16th December, 1920, relating to the Statute of that Court, and if any of the Parties to the dispute is not a Party to the Protocol of the 16th December, 1920, the dispute shall be referred to an arbitral tribunal constituted in accordance with the Hague Convention of the 18th October, 1907, for the Pacific Settlement of International Conflicts.

Reference to arbitration or judicial settlement

36 Stat 2199

Article 8.

The present Protocol shall remain open until the 31st December, 1930, for signature on behalf of any Member of the League of Nations or of any non-Member State invited to the First Codification Conference or to which the Council of the League of Nations has communicated a copy of the Protocol for this purpose.

Open for signature until December 31, 1930

Article 9.

The present Protocol is subject to ratification. Ratifications shall be deposited with the Secretariat of the League of Nations.

Ratification, deposit

The Secretary-General shall give notice of the deposit of each ratification to the Members of the League of Nations and to the non-Member States mentioned in Article 8, indicating the date of its deposit.

Notice of deposit

Article 10.

As from January 1st, 1931, any Member of the League of Nations and any non-Member State mentioned in Article 8 on whose behalf the Protocol has not been signed before that date may accede thereto.

Accessions.

Accession shall be effected by an instrument deposited with the Secretariat of the League of Nations. The Secretary-General of the League of Nations shall give notice of each accession to the Members of the League of Nations and to the non-Member States mentioned in Article 8, indicating the date of the deposit of the instrument.

Article 11.

Un procès-verbal sera dressé par le Secrétaire général de la Société des Nations dès que des ratifications ou des adhésions auront été déposées au nom de dix Membres de la Société des Nations ou États non Membres.

Une copie certifiée conforme de ce procès-verbal sera remise à chacun des Membres de la Société des Nations et à tout État non Membre visés à l'article 8, par les soins du Secrétaire général de la Société des Nations.

Article 12.

Le présent Protocole entrera en vigueur le 90^{me} jour après la date du procès-verbal visé à l'article 11 à l'égard des Membres de la Société des Nations et des États non Membres au nom desquels des ratifications ou adhésions auront été déposées à la suite de ce procès-verbal.

A l'égard de chacun des Membres ou États non Membres au nom desquels des ratifications ou des adhésions seront ultérieurement déposées, le Protocole entrera en vigueur le 90^{me} jour après la date du dépôt de sa ratification ou de son adhésion.

Article 13.

A partir du 1^{er} janvier 1936, tout Membre de la Société des Nations et tout État non Membre à l'égard duquel le présent Protocole est à ce moment en vigueur pourra adresser au Secrétaire général de la Société des Nations une demande tendant à la revision de certaines ou de toutes les dispositions de ce Protocole. Si une telle demande, communiquée aux autres Membres ou États non Membres à l'égard desquels le Protocole est à ce moment en vigueur, est appuyée dans un délai d'un an par au moins neuf d'entre eux, le Conseil de la Société des Nations décidera, après consultation des Membres et des États non Membres visés à l'article 8, s'il y a lieu de convoquer une conférence spéciale à cet effet, ou de mettre cette revision à l'ordre du jour d'une prochaine conférence pour la codification du droit international.

Les Hautes Parties Contractantes conviennent qu'en cas de revision du présent Protocole, l'Accord nouveau pourra prévoir que son entrée en vigueur entraînera l'abrogation à l'égard de toutes les Parties au présent Protocole de toutes les dispositions de celui-ci ou de certaines d'entre elles.

Article 14.

Le présent Protocole peut être dénoncé.

Cette dénonciation sera notifiée par écrit au Secrétaire général de la Société des Nations, qui en donnera connaissance à tous les Membres et aux États non Membres visés à l'article 8.

Cette dénonciation ne produira effet qu'à l'égard du Membre ou de l'État non Membre qui l'aura notifiée et un an après la date à laquelle cette notification aura été reçue par le Secrétaire général.

Article 11.

A procès-verbal shall be drawn up by the Secretary-General of the League of Nations as soon as ratifications or accessions on behalf of ten Members of the League of Nations or non-Member States have been deposited.

Procès-verbal on deposit of requisite signatures

A certified copy of this procès-verbal shall be sent by the Secretary-General to each Member of the League of Nations and to each non-Member State mentioned in Article 8.

Article 12.

The present Protocol shall enter into force on the 90th day after the date of the procès-verbal mentioned in Article 11 as regards all Members of the League of Nations or non-Member States on whose behalf ratifications or accessions have been deposited on the date of the procès-verbal.

Effective dates

As regards any Member of the League or non-Member State on whose behalf a ratification or accession is subsequently deposited, the Protocol shall enter into force on the 90th day after the date of the deposit of a ratification or accession on its behalf.

Article 13.

As from January 1st, 1936, any Member of the League of Nations or any non-Member State in regard to which the present Protocol is then in force, may address to the Secretary-General of the League of Nations a request for the revision of any or all of the provisions of this Protocol. If such a request, after being communicated to the other Members of the League and non-Member States in regard to which the Protocol is then in force, is supported within one year by at least nine of them, the Council of the League of Nations shall decide, after consultation with the Members of the League of Nations and the non-Member States mentioned in Article 8, whether a conference should be specially convoked for that purpose or whether such revision should be considered at the next conference for the codification of international law.

Requests for revision

The High Contracting Parties agree that, if the present Protocol is revised, the new Agreement may provide that upon its entry into force some or all of the provisions of the present Protocol shall be abrogated in respect of all of the Parties to the present Protocol.

Article 14.

The present Protocol may be denounced.

Denunciations

Denunciation shall be effected by a notification in writing addressed to the Secretary-General of the League of Nations, who shall inform all Members of the League of Nations and the non-Member States mentioned in Article 8.

Each denunciation shall take effect one year after the receipt by the Secretary-General of the notification but only as regards the Member of the League or non-Member State on whose behalf it has been notified.

Effective date

Article 15.

1. Chacune des Hautes Parties Contractantes peut déclarer, au moment de la signature, de la ratification ou de l'adhésion que, par son acceptation du présent Protocole, elle n'entend assumer aucune obligation en ce qui concerne l'ensemble ou toute partie de ses colonies, protectorats, territoires d'outre-mer ou territoires placés sous sa suzeraineté ou son mandat, ou encore en ce qui concerne certaines de leurs populations; dans ce cas, le présent Protocole ne sera pas applicable aux territoires ou populations faisant l'objet d'une telle déclaration.

2. Chacune des Hautes Parties Contractantes pourra ultérieurement notifier au Secrétaire général de la Société des Nations qu'elle entend rendre le présent Protocole applicable à l'ensemble ou à toute partie de ses territoires ou de leurs populations ayant fait l'objet de la déclaration prévue au paragraphe précédent. Dans ce cas, le Protocole s'appliquera aux territoires ou aux populations visés dans la notification six mois après la réception de cette notification par le Secrétaire général de la Société des Nations.

3. De même, chacune des Hautes Parties Contractantes peut, à tout moment, déclarer qu'elle entend voir cesser l'application du présent Protocole à l'ensemble ou à toute partie de ses colonies, protectorats, territoires d'outre-mer ou territoires placés sous sa suzeraineté ou son mandat, ou encore en ce qui concerne certaines de leurs populations; dans ce cas, le Protocole cessera d'être applicable aux territoires ou populations faisant l'objet d'une telle déclaration un an après la réception de cette déclaration par le Secrétaire général de la Société des Nations.

4. Chacune des Hautes Parties Contractantes peut faire des réserves conformément à l'article 6 du présent Protocole en ce qui concerne l'ensemble ou toute partie de ses colonies, protectorats, territoires d'outre-mer ou territoires placés sous sa suzeraineté ou son mandat, ou en ce qui concerne certaines de leurs populations, au moment de la signature, de la ratification ou de l'adhésion, ou au moment de la notification prévue au paragraphe 2 du présent article.

5. Le Secrétaire général de la Société des Nations communiquera à tous les Membres de la Société des Nations et aux États non Membres visés à l'article 8 les déclarations et notifications reçues en vertu du présent article.

Article 16.

Le présent Protocole sera enregistré par les soins du Secrétaire général de la Société des Nations, dès sa mise en vigueur.

Article 17.

Les textes français et anglais du présent Protocole font également foi.

Article 15.

1. Any High Contracting Party may, at the time of signature, ratification or accession, declare that, in accepting the present Protocol, he does not assume any obligations in respect of all or any of his colonies, protectorates, overseas territories or territories under suzerainty or mandate, or in respect of certain parts of the population of the said territories; and the present Protocol shall not apply to any territories or to the parts of their population named in such declaration

Application to territories, etc.

2. Any High Contracting Party may give notice to the Secretary-General of the League of Nations at any time subsequently that he desires that the Protocol shall apply to all or any of his territories or to the parts of their population which have been made the subject of a declaration under the preceding paragraph, and the Protocol shall apply to all the territories or the parts of their population named in such notice six months after its receipt by the Secretary-General of the League of Nations.

3. Any High Contracting Party may, at any time, declare that he desires that the present Protocol shall cease to apply to all or any of his colonies, protectorates, overseas territories or territories under suzerainty or mandate, or in respect of certain parts of the population of the said territories, and the Protocol shall cease to apply to the territories or to the parts of their population named in such declaration one year after its receipt by the Secretary-General of the League of Nations.

4. Any High Contracting Party may make the reservations provided for in Article 6 in respect of all or any of his colonies, protectorates, overseas territories or territories under suzerainty or mandate, or in respect of certain parts of the population of these territories, at the time of signature, ratification or accession to the Protocol or at the time of making a notification under the second paragraph of this article.

5. The Secretary-General of the League of Nations shall communicate to all the Members of the League of Nations and the non-Member States mentioned in Article 8 all declarations and notices received in virtue of this article.

Article 16.

The present Protocol shall be registered by the Secretary-General of the League of Nations as soon as it has entered into force.

Registry by Secretary-General, League of Nations

Article 17.

The French and English texts of the present Protocol shall both be authoritative.

Official texts.

Signatures.

EN FOI DE QUOI, les Plénipotentiaires ont signé le présent Protocole.

IN FAITH WHEREOF the Plenipotentiaries have signed the present Protocol.

FAIT à La Haye, le douze avril mil neuf cent trente, en un seul exemplaire qui sera déposé dans les archives du Secrétariat de la Société des Nations. Une copie certifiée conforme sera transmise par les soins du Secrétaire général à tous les Membres de la Société des Nations et à tous les États non Membres invités à la première Conférence pour la Codification du Droit international.

DONE at The Hague on the twelfth day of April, one thousand nine hundred and thirty, in a single copy, which shall be deposited in the archives of the Secretariat of the League of Nations and of which certified true copies shall be transmitted by the Secretary-General to all the Members of the League of Nations and all the non-Member States invited to the First Conference for the Codification of International Law.

ALLEMAGNE

GERMANY

GÖPPERT
HERING

ÉTATS-UNIS D'AMÉRIQUE

UNITED STATES OF AMERICA

Hugh R. WILSON

AUTRICHE

AUSTRIA

LEITMAIER

BELGIQUE

BELGIUM

J. DE RUELLE

Sous réserve d'adhésion ultérieure pour la Colonie du Congo et les Territoires sous mandat.¹

GRANDE-BRETAGNE

GREAT BRITAIN

ET IRLANDE DU NORD,
ainsi que toutes parties de l'Empire
britannique non membres séparés
de la Société des Nations.

AND NORTHERN IRELAND
and all parts of the British Empire
which are not separate Members
of the League of Nations.

Maurice GWYER
Oscar F. DOWSON

CANADA

CANADA

Philippe ROY

ÉTAT LIBRE D'IRLANDE

IRISH FREE STATE

John J. HEARNE

INDE

INDIA

[*Translation by the Secretariat of the League of Nations.*]

¹ Subject to accession later for the Colony of the Congo and the mandated territories.

In accordance with the provisions of Article 15 of this Protocol I declare that His Britannic Majesty does not assume any obligation in respect of the territories in India of any Prince or Chief under His suzerainty or the population of the said territories.¹

CHILI	Basanta KUMAR MULICK	CHILE
	Miguel CRUCHAGA	
	Alejandro ALVAREZ	
	H. MARCHANT	
COLOMBIE		COLOMBIA
	A. J. RESTREPO	Francisco José URRUTIA
CUBA		CUBA
	<i>Ad referendum.</i>	
	DIAZ DE VILLAR	
	Carlos DE ARMENTEROS	
DANEMARK		DENMARK
	F. MARTENSEN-LARSEN	V. LORCK.
ÉGYPTE		EGYPT
	A. BADAOUI.	
	M. SID AHMED	
ESPAGNE		SPAIN
	A. GOICOECHEA	
FRANCE		FRANCE
	Paul MATTER	
	A. KAMMERER	
GRÈCE		GREECE
	<i>Ad referendum.</i>	
	N. POLITIS	
	Megalos CALOYANNI	
	Jean SPIROPOULOS	
LUXEMBOURG		LUXEMBURG
	Conrad STUMPER	
MEXIQUE		MEXICO
	Eduardo SUAREZ	
PAYS-BAS		THE NETHERLANDS

Les Pays-Bas:

1° Excluent de leur acceptation l'article 3;

[Traduction du Secrétariat de la Société des Nations.]

¹ Conformément aux dispositions de l'article 15 de ce Protocole, je déclare que Sa Majesté Britannique n'assume aucune obligation en ce qui concerne les territoires de l'Inde appartenant à un prince ou chef placé sous sa suzeraineté ou en ce qui concerne la population desdits territoires.

2° N'entendent assumer aucune obligation en ce qui concerne les Indes néerlandaises, le Surinam et Curaçao.¹

V. EYSINGA.

J. KOSTERS.

PÉROU

PERU

M. H. CORNEJO

PORTUGAL

PORTUGAL

José CAEIRO DA MATTA

José Maria VILHENA BARBOSA DE MAGALHAES.

Prof. Doutor J. LOBO D'AVILA LIMA

SALVADOR

SALVADOR

J. Gustavo GUERRERO

SUÈDE

SWEDEN

Sous réserve de ratification de S. M. le Roi
de Suède avec l'approbation du Riksdag.²

K. J. WESTMAN.

URUGUAY

URUGUAY

E. E. BUERO

Copie certifiée conforme.
Pour le Secrétaire général:

Certified true copy.
For the Secretary-General:

H. McK. WOOD

*Conseiller juridique du
Secrétariat. p. i.*

*Acting Legal Adviser
of the Secretariat.*

Ratifications

AND WHEREAS the said Protocol has been acceded to by Australia, including Papua and Norfolk Island and the mandated territories of New Guinea and Nauru; Brazil; and the Union of South Africa, with a reservation; as provided in Article 10 thereof;

Ante, p. 1321.

AND WHEREAS the said Protocol has been duly ratified by the Government of the United States of America, whose instrument of ratification was deposited with the Secretariat of the League of Nations on August 3, 1932;

Post, p. 1330

AND WHEREAS the Secretary General of the League of Nations has certified by a procès-verbal dated February 24, 1937, drawn up in conformity with Article 11 of the said Protocol, that ratifications of or accessions to the said Protocol had been deposited with the Secretariat of the League of Nations by ten signatory or acceding Governments, as follows:

Ante, p. 1323.

[*Translation by the Secretariat of the League of Nations.*]

¹ The Netherlands:

1. Exclude from acceptance Article 3;
2. Do not intend to assume any obligation as regards Netherlands Indies, Surinam and Curaçao.

² Subject to ratification by his Majesty the King of Sweden with the approval of the Riksdag.

Brazil; Great Britain and Northern Ireland and all parts of the British Empire which are not separate members of the League of Nations; United States of America; India, with a reservation; Sweden; Australia, including Papua and Norfolk Island and the mandated territories of New Guinea and Nauru; Union of South Africa, with a reservation; Salvador; Cuba, with a reservation; and Colombia;¹

AND WHEREAS in accordance with Article 12 of the said Protocol the Protocol shall enter into force in respect of the Governments on whose behalf ratifications or accessions had been deposited on the date of the procès-verbal on the ninetieth day after the date thereof, that is to say, on May 26, 1937;

Ante, p. 1323.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Protocol to be made public to the end that the same and every part thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof in respect of the aforesaid countries on and after the twenty-sixth day of May, one thousand nine hundred and thirty-seven, and in respect of the countries which shall, after the date of the aforesaid procès-verbal, deposit with the Secretariat of the League of Nations their instruments of ratification or accession on and from the ninetieth day after the date of such deposit, as provided in the second paragraph of Article 12 of the said Protocol;

Proclamation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-sixth day of April
in the year of our Lord one thousand nine hundred and
[SEAL] thirty-seven and of the Independence of the United States
of America the one hundred and sixty-first.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

¹ The instrument of ratification by the Netherlands (including the Netherlands Indies, Surinam, and Curaçao) was deposited at Geneva on Apr. 2, 1937. At the time of depositing the ratification the Netherlands Government withdrew the reservation regarding art. 3 made at the time of signature of the protocol. In accordance with the second paragraph of art. 12 of the protocol, the protocol will enter into force in respect of the Netherlands (including the Netherlands Indies, Surinam, and Curaçao) on the 90th day after the date of the deposit.

—EDITOR.

**PROCES-VERBAL CONSTATANT LE
DEPOT DES DIX RATIFICATIONS
OU ADHESIONS PREVUES A
L'ARTICLE 11 DU PROTOCOLE
RELATIF AUX OBLIGATIONS
MILITAIRES DANS CERTAINS
CAS DE DOUBLE NATIONALITE,
SIGNE A LA HAYE, LE 12 AVRIL
1930.**

Procès-verbal
Ante, p. 1323.

Deposit of instru-
ments of accession,
etc.

Conformément au paragraphe
1er de l'article 11 du Protocole
relatif aux obligations militaires
dans certains cas de double na-
tionalité, signé à La Haye, le 12
avril 1930, le soussigné certifie que
les instruments suivants ont été
dûment déposés aux archives de la
Société des Nations relativement
au Protocole susmentionné:

- 1) Acte d'adhésion du Brésil,
déposé le 19 septembre
1931;
- 2) Instrument de ratification
pour la Grande-Bretagne
et l'Irlande du Nord ainsi
que toutes parties de l'Em-
pire britannique non mem-
bres séparés de la Société
des Nations, déposé le 14
janvier 1932;
- 3) Instrument de ratification des
Etats-Unis d'Amérique, dé-
posé le 3 août 1932;
- 4) Instrument de ratification de
l'Inde, déposé le 28 septem-
bre 1932;

Sous la réserve suivante:

Conformément aux dispo-
sitions de l'article 15 de ce
Protocole, Sa Majesté bri-
tannique n'assume aucune
obligation en ce qui con-
cerne les territoires de
l'Inde appartenant à un
prince ou chef placé sous
sa suzeraineté ou en ce qui
concerne la population des-
dits territoires.

**PROCES-VERBAL REGARDING THE
DEPOSIT OF THE TEN RATIFI-
CATIONS OR ACCESSIONS RE-
FERRED TO IN ARTICLE 11 OF
THE PROTOCOL RELATING TO
MILITARY OBLIGATIONS IN
CERTAIN CASES OF DOUBLE
NATIONALITY, SIGNED AT THE
HAGUE, APRIL 12TH, 1930.**

In accordance with Article 11,
paragraph 1, of the Protocol relat-
ing to Military Obligations in
certain cases of double nationality,
signed at The Hague on April 12th,
1930, the undersigned hereby cer-
tifies that the following instru-
ments were deposited with the
Secretariat of the League of Na-
tions in connection with the above-
mentioned Protocol:

- (1) Instrument of accession of
Brazil, deposited on Sep-
tember 19th, 1931;
- (2) Instrument of ratification for
Great Britain and North-
ern Ireland and all parts of
the British Empire which
are not separate Members
of the League of Nations,
deposited on January 14th,
1932;
- (3) Instrument of ratification by
the United States of Amer-
ica, deposited on August
3rd, 1932;
- (4) Instrument of ratification by
India, deposited on Sep-
tember 28th, 1932;
Subject to the following
reservation:

In accordance with the
provisions of Article 15,
His Britannic Majesty does
not assume any obligation
in respect of the territories
in India of any Prince or
Chief under His Suzerainty
or the population of the
said territories.

- 5) Instrument de ratification de la Suède, déposé le 6 juillet 1933; (5) Instrument of ratification by Sweden, deposited on July 6th, 1933;

- 6) Instrument d'adhésion de l'Australie, déposé le 8 juillet 1935; (6) Instrument of accession of Australia, deposited on July 8th, 1935;

Cette adhésion comprend également les territoires de Papoua et de l'île de Norfolk ainsi que les territoires sous mandat de la Nouvelle-Guinée et de Nauru. This accession includes also the territories of Papua and Norfolk Island and the mandated territories of New Guinea and Nauru.

- 7) Instrument d'adhésion de l'Union Sud-Africaine, déposé le 9 octobre 1935; (7) Instrument of accession of the Union of South Africa, deposited on October 9th, 1935;

L'adhésion du Gouvernement de l'Union Sud-Africaine à ce Protocole est donnée sous la réserve expresse, prévue à l'article 6, que les dispositions de l'article 2 sont exclues. The accession of the Government of the Union of South Africa to this Protocol is subject to the express reservation, in terms of Article 6 of the Protocol, that the provisions of Article 2 be excluded.

- 8) Instrument de ratification du Salvador, déposé le 14 octobre 1935; (8) Instrument of ratification by Salvador, deposited on October 14th, 1935;

- 9) Instrument de ratification de Cuba, déposé le 22 octobre 1936; (9) Instrument of ratification by Cuba, deposited on October 22nd, 1936;

Sous la réserve suivante:

Subject to the following reservation:

Le Gouvernement de Cuba déclare ne pas assumer l'obligation imposée par l'article 2 du Protocole lorsque le mineur visé par ledit article—bien qu'il ait le droit au moment où il atteindra sa majorité, de répudier ou de refuser la nationalité cubaine—réside habituellement sur le territoire de l'Etat, étant donné qu'il est uni, de fait, à ce dernier par un lien plus étroit qu'avec tout autre Etat dont il posséderait également la nationalité.

The Government of Cuba declares that it does not accept the obligation imposed by Article 2 of the Protocol when the minor referred to in that Article, although he has the right, on attaining his majority, to renounce or decline Cuban nationality, habitually resides in the territory of the State and is in fact more closely connected with the latter than with any other State whose nationality he may also possess.

- 10) Instrument de ratification de la Colombie, déposé le 24 février 1937. (10) Instrument of ratification by Colombia, deposited on February 24th, 1937.

Et aux fins prévues au deuxième paragraphe du même article, le soussigné dresse le présent procès-verbal.

In order to give effect to the second paragraph of the same Article, the undersigned has drawn up the present procès-verbal.

Fait à Genève, le vingt-quatre février mil neuf cent trente-sept.

Done at Geneva on the twenty-fourth day of February, one thousand nine hundred and thirty-seven.

Le Secrétaire général:

The Secretary-General:

J. AVENOL.

Copie certifiée conforme.

Certified true copy.

Pour le Secrétaire général:

For the Secretary-General:

L A PODESTA COSTA

*Consiller juridique
du Secrétariat.*

*Legal Adviser of the
Secretariat.*

Convention between the United States of America and Mexico for the recovery and return of stolen or embezzled motor vehicles, trailers, airplanes or component parts of any of them. Signed at Mexico City, October 6, 1936; ratification advised by the Senate, May 6, 1937; ratified by the President, May 19, 1937; ratified by Mexico, June 11, 1937; ratifications exchanged at Mexico City, June 19, 1937; proclaimed, June 24, 1937.

October 6, 1936
[T. S. No. 914]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a Convention for the Recovery and Return of Stolen or Embezzled Motor Vehicles, Trailers, Airplanes or Component Parts of Any of Them between the United States of America and the United Mexican States was concluded and signed by their respective Plenipotentiaries at Mexico City on the sixth day of October, one thousand nine hundred and thirty-six, the original of which Convention, being in the English and Spanish languages, is word for word as follows:

Convention with Mexico for the recovery of stolen motor vehicles, etc
Preamble

CONVENTION FOR THE RECOVERY AND RETURN OF STOLEN OR EMBEZZLED MOTOR VEHICLES, TRAILERS, AIRPLANES OR COMPONENT PARTS OF ANY OF THEM.

CONVENCION PARA LA RECUPERACION Y DEVOLUCION DE VEHICULOS DE MOTOR, REMOLQUES, AEROPLANOS O PARTES COMPONENTES DE CUALQUIERA DE ELLOS QUE HUBIESEN SIDO ROBADOS U OBJETO DE CUALQUIER DELITO CONTRA LA PROPIEDAD.

The United States of America and the United Mexican States being mutually desirous that motor vehicles, trailers, airplanes, and the component parts of any of them which may be stolen or embezzled in either country and taken into the territory of the other country shall be recovered and returned to the country of the legitimate owner thereof, have agreed to conclude a convention to give effect to that purpose and have named as their Plenipotentiaries:

The President of the United States of America, Josephus Daniels, Ambassador Extraordinary and Plenipotentiary of the United States of America to Mexico; and

Los Estados Unidos de América y los Estados Unidos Mexicanos, deseosos de que los vehículos de motor, remolques, aeroplanos o las partes componentes de cualquiera de ellos que hubiesen sido robados u objeto de cualquier delito contra la propiedad en uno de dichos países y llevados al territorio del otro, puedan ser recuperados y devueltos al país de su legítimo propietario, han acordado celebrar una Convención y para tal fin han nombrado como sus Plenipotenciarios:

El Presidente de los Estados Unidos de América, al señor Josephus Daniels, Embajador Extraordinario y Plenipotenciario de los Estados Unidos de América en México; y

Purpose declared.

Plenipotentiaries.

The President of the United Mexican States, General Eduardo Hay, Secretary of State for Foreign Affairs;

Who, having communicated to each other their respective full powers, which were found to be in due and proper form, have agreed upon the following articles:

ARTICLE I.

Recoveries in
United States.

Whenever the Government of the United Mexican States through its Embassy in Washington shall so request the Department of State of the United States of America, that Department will use every proper means to bring about the detention of alleged stolen or embezzled motor vehicles, trailers, airplanes or the component parts of any of them.

The request of the Embassy shall be accompanied by documents legally valid in the United Mexican States supporting the claim of the person or persons interested to the property the return of which is requested.

After the property shall have been detained, and in the absence of evidence conclusively controverting the proof just before mentioned, it will be delivered to the person or persons designated for such purpose by the Embassy in Washington of the United Mexican States.

ARTICLE II.

Recoveries in
Mexico

Whenever the Government of the United States of America through its Embassy in Mexico City shall so request the Department of Foreign Relations of the United Mexican States, that Department will use every proper means to bring about the detention of alleged stolen or embezzled motor vehicles, trailers, airplanes or the component parts of any of them.

El Presidente de los Estados Unidos Mexicanos, al señor General Eduardo Hay, Secretario de Estado y del Despacho de Relaciones Exteriores;

Quienes, después de comunicarse sus respectivos Plenos Poderes, hallados en buena y debida forma, han convenido en los siguientes artículos:

ARTÍCULO I.

Siempre que el Gobierno de los Estados Unidos Mexicanos, por medio de su Embajada en Washington, lo solicite del Departamento de Estado de los Estados Unidos de América, esta alta Dependencia empleará todos los medios apropiados para lograr la detención de los vehículos de motor, remolques, aeroplanos o las partes componentes de cualquiera de ellos, que se reputen en la petición como robados u objeto de cualquier otro delito contra la propiedad.

La solicitud de la Embajada deberá presentarse acompañada de los documentos, legalmente válidos en los Estados Unidos Mexicanos, que justifiquen el derecho de la persona o personas interesadas sobre la cosa cuya devolución se pide.

Una vez que haya sido detenida la cosa, y siempre que no exista prueba concluyente que contradiga la prueba mencionada en el párrafo anterior, será entregada a la persona o personas que con tal fin hubiere designado la Embajada de los Estados Unidos Mexicanos en Washington.

ARTÍCULO II.

Siempre que el Gobierno de los Estados Unidos de América, por medio de su Embajada en México, lo solicite de la Secretaría de Relaciones Exteriores de los Estados Unidos Mexicanos, esta alta Dependencia empleará todos los medios apropiados para lograr la detención de los vehículos de motor, remolques, aeroplanos o las partes componentes de cualquiera de ellos que se reputen en la petición como robados u objeto de cualquier otro delito contra la propiedad.

The request of the Embassy shall be accompanied by documents legally valid in the United States of America supporting the claim of the person or persons interested to the property the return of which is requested.

After the property shall have been detained, and in the absence of evidence conclusively controverting the proof just before mentioned, it will be delivered to the person or persons designated for such purpose by the Embassy in Mexico City of the United States of America.

ARTICLE III.

When the stolen or embezzled property is held as evidence in a criminal case, in the country where recovered, such detention shall not exceed twenty days from the date of the presentation to the Department of State or the Department of Foreign Relations, as the case may be, of the official request for the return of the property.

ARTICLE IV.

The High Contracting Parties will extend all necessary customs and other facilities in order that the person or persons on whose behalf the return has been made shall receive the stolen property and return with it to the territory of the country from which the request emanated.

ARTICLE V.

The High Contracting Parties will not assess any duties, fines or other monetary penalties upon the property detained and returned under the terms and provisions of this Convention. All expenses incident to the return and delivery of the property to the requesting country shall be borne by the person or persons receiving the vehicles or their component parts and such person or persons shall have no claim for compensation against the detaining authorities for damages to the property in con-

La solicitud de la Embajada deberá presentarse acompañada de los documentos, legalmente válidos en los Estados Unidos de América, que justifiquen el derecho de la persona o personas interesadas sobre la cosa cuya devolución se pide.

Una vez que haya sido detenida la cosa, y siempre que no exista prueba concluyente que contradiga la prueba mencionada en el párrafo anterior, será entregada a la persona o personas que con tal fin hubiese designado la Embajada de los Estados Unidos de América en México.

ARTÍCULO III.

Cuando la cosa cuya devolución se solicita esté detenida como prueba en un caso penal en el país en que haya sido recuperada, tal detención no excederá de veinte días contados desde la fecha en que la solicitud oficial de devolución haya sido presentado al Departamento de Estado o a la Secretaría de Relaciones Exteriores, según fuere el caso.

Detention of property as evidence in criminal case.

ARTÍCULO IV.

Las Altas Partes Contratantes concederán todas las facilidades necesarias, aduaneras y de cualquier otra clase, para que la persona o personas en cuyo favor se hubiese hecho la devolución, reciban la cosa devuelta y regresen con ella al territorio del país del cual procede la solicitud.

Customs, etc., facilities extended.

ARTÍCULO V.

Las Altas Partes Contratantes no impondrán derechos, multas u otras sanciones pecuniarias que graviten sobre la cosa detenida y devuelta conforme a los términos de esta Convención. Todos los gastos que se originen con motivo de la devolución y entrega de la cosa al país reclamante, serán por cuenta de la persona o personas que reciban los vehículos o las partes componentes de ellos, y tales persona o personas no tendrán derecho a reclamar indemnización de las autoridades que

No assessment of duties, penalties, etc.

Payment of expenses.

No claim for damages, etc.

nection with its seizure, detention
and storage.

hubieren efectuado la detención,
por daños sufridos por la cosa de-
vuelta, con motivo de su persecu-
ción, detención y depósito.

ARTICLE VI.

ARTÍCULO VI.

Ratification.

The High Contracting Parties
will ratify this Convention in ac-
cordance with the provisions of
their respective Constitutions and
the exchange of ratifications shall
take place in the City of Mexico
as soon as possible.

Las Altas Partes Contratantes
ratificarán la presente Convención
de conformidad con las disposi-
ciones constitucionales respectivas,
y el canje de ratificaciones se
efectuará en la ciudad de México,
tan pronto como sea posible.

Duration.

This Convention shall remain in
force for one year from the date of
exchange of ratifications. If upon
the expiration of one year notice
is not given by either High Con-
tracting Party of the desire to
terminate the same, it shall con-
tinue in force until thirty days
after either party shall have given
notice to the other of the desire to
terminate it.

La presente Convención que-
dará en vigor por un año, a partir
de la fecha en que se efectúe el
canje de ratificaciones. Si a la
expiración de este período de un
año no fuere denunciada por
cualquiera de las Altas Partes
Contratantes, continuará en vigor
hasta treinta días después de la
fecha en que una de aquellas
notifique a la otra su resolución de
darla por terminada.

Signatures.

In witness whereof, the respec-
tive Plenipotentiaries have signed
and affixed their seals to this Con-
vention.

En testimonio de lo cual, los
Plenipotenciarios arriba mencio-
nados han firmado esta Conven-
ción, fijando sus sellos respectivos.

Done in duplicate, in English
and Spanish, at Mexico City, this
sixth day of the month of October
one thousand nine hundred and
thirty six.

Hecha por duplicado, en inglés
y en español, en la ciudad de
México, a los seis días del mes de
octubre de mil novecientos treinta
y seis.

JOSEPHUS DANIELS
[SEAL]

EDUARDO HAY
[SEAL]

Exchange of ratifi-
cations.

AND WHEREAS the said Convention has been duly ratified on both
parts, and the ratifications of the two Governments were exchanged
in Mexico City on the nineteenth day of June, one thousand nine
hundred and thirty-seven;

Proclamation.

Now, THEREFORE, be it known that I, Franklin D. Roosevelt,
President of the United States of America, have caused the said Con-
vention to be made public, to the end that the same and every article
and clause thereof may be observed and fulfilled with good faith by
the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused
the Seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-fourth day of June in
the year of our Lord one thousand nine hundred and thirty-
[SEAL] seven and of the Independence of the United States of
America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

*Extradition treaty between the United States of America and Liechtenstein.
Signed at Bern, May 20, 1936; ratification advised by the Senate, April
27, 1937; ratified by the President, May 19, 1937; ratified by Liechten-
stein, October 30, 1936; ratifications exchanged at Bern, June 28, 1937;
proclaimed, July 8, 1937.*

May 20, 1936
[T S No. 915]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS an Extradition Treaty between the United States of America and the Principality of Liechtenstein was concluded and signed by their respective Plenipotentiaries at Bern on the twentieth day of May, one thousand nine hundred and thirty-six, the original of which Treaty, being in the English and German languages, is word for word as follows:

Extradition treaty
with Liechtenstein.
Preamble.

EXTRADITION TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE PRINCIPALITY OF LIECHTENSTEIN.

Contracting Powers. The United States of America and the Principality of Liechtenstein, animated by the desire to promote the cause of justice, have agreed to conclude a treaty concerning the extradition of fugitives from justice between the two States and have appointed the following plenipotentiaries for this purpose:

Plenipotentiaries.

The President of the United States of America:

Mr. Hugh R. WILSON, Minister plenipotentiary and Envoy extraordinary of the United States of America in Switzerland,

His Serene Highness the Ruling Prince of Liechtenstein:

M. Giuseppe MOTTA, Federal Councillor and Head of the Federal Political Department, Berne,

who, after exchange of their full powers, found to be in good and due form, have agreed upon and concluded the following articles:

ARTICLE I.

Reciprocal delivery of persons charged with specified crimes

It is agreed that the Government of the United States of America and the Government of Liechtenstein shall, upon requisition duly made in accordance with the provisions of this Treaty, deliver up to justice any person who is charged with or has been convicted of any of the crimes or offenses specified in Article II of the present Treaty, if the punishable act was committed within the jurisdiction of one of the High Contracting Parties and the person seeks asylum in the territory of the other Party or is found there. Such extradition shall take place only on the basis of such evidence of criminality, as according to the laws of the place where the fugitive or the accused is found, would justify his arrest and commitment for trial, if the deed had been committed there.

ARTICLE II.

Extraditable crimes, etc.

Such persons shall be delivered up, according to the provisions of the present Treaty, who shall have been charged with or convicted of any of the following punishable acts:

Murder.

1. Murder (including the crimes designated by the terms parricide, poisoning and infanticide), or intentional manslaughter.

Malicious mayhem.

2. Malicious mayhem or serious injury to the body, intentionally committed.

Rape, etc.

3. Rape, abortion and carnal knowledge of children under 15 years of age.

Abduction.

4. Abduction or detention of women or girls for immoral purposes.

Bigamy.

5. Bigamy.

Arson.

6. Arson.

Damage, etc., to railroads.

7. Intentional and unlawful destruction or obstruction of railroads where such acts endanger human life.

AUSLIEFERUNGSVERTRAG ZWISCHEN DEN VEREINIGTEN STAATEN VON AMERIKA UND DEM FÜRSTENTUM LIECHTENSTEIN.

Die Vereinigten Staaten von Amerika und das Fürstentum Liechtenstein sind, von dem Wunsche geleitet, die Sache der Gerechtigkeit zu fördern, übereingekommen, einen Vertrag über die Auslieferung straffälliger Personen zwischen den beiden Staaten zu schliessen und haben zu diesem Zwecke folgende Bevollmächtigte ernannt:

Der Präsident der Vereinigten Staaten von Amerika:

Herrn Hugh R. WILSON, ausserordentlichen Gesandten und bevollmächtigten Minister der Vereinigten Staaten von Amerika in der Schweiz,

Seine Durchlaucht der Regierende Fürst von Liechtenstein:

Herrn Bundesrat Giuseppe MOTTA, Vorsteher des Eidgenössischen Politischen Departements, Bern,

die nach Austausch ihrer in guter und gehöriger Form befundenen Vollmachten die nachstehenden Artikel vereinbart und beschlossen haben:

ARTIKEL I.

Es wird vereinbart, dass die Regierung der Vereinigten Staaten von Amerika und die Regierung von Liechtenstein auf ein nach den Bestimmungen dieses Vertrages gehörig gestelltes Ersuchen der Gerechtigkeit jede Person ausliefern sollen, die eines der im Artikel II des vorliegenden Vertrages aufgeführten Verbrechen oder Vergehen beschuldigt wird oder überführt wurde, sofern die Straftat im Bereiche der Gerichtsbarkeit eines der Hohen Vertragschliessenden Teile begangen wurde und die Person im Gebiete des andern Teiles Zuflucht sucht oder dort angetroffen wird. Eine derartige Auslieferung soll nur auf Grund solcher Schuldbeweise stattfinden, die nach den Gesetzen des Ortes, wo der Flüchtling oder der Beschuldigte angetroffen wird, seine Festnahme und Stellung vor Gericht rechtfertigen würden, wenn die Tat hier begangen worden wäre.

ARTIKEL II.

Nach den Bestimmungen des vorliegenden Vertrages sollen jene Personen ausgeliefert werden, die einer der nachstehenden strafbaren Handlungen beschuldigt werden oder überführt sind:

1. Mord (unter Einschluss der durch die Ausdrücke Elternmord, Giftmord und Kindesmord bezeichneten Verbrechen), vorsätzliche Tötung.

2. Böswillige Korperverletzung oder vorsätzlich begangene schwere Schädigung des Körpers.

3. Notzucht, Abtreibung und Unzucht mit Kindern unter 15 Jahren.

4. Entführung oder Gefangenhaltung von Frauen oder Mädchen zu unsittlichen Zwecken.

5. Doppelehe.

6. Brandstiftung.

7. Vorsätzliche und gesetzwidrige, das menschliche Leben gefährdende Zerstörung oder Behinderung von Eisenbahnen.

Crimes committed
at sea.
Piracy.

Destruction, etc., of
vessel

Mutiny, etc.

Assault on ship-
board

Burglary
Unlawful entry of
public offices.

Robbery
Forgery, etc., of
documents.

Counterfeiting, etc

Embezzlement.
Kidnapping.

Larceny.

Obtaining money
by false pretenses

Perjury.
Breach of trust, etc.

Slavery or slave
trade.

8. Crimes committed at sea:

- a) Piracy, in the current sense of the word and according to the definition in international or municipal law;
- b) unlawful sinking or destruction of a ship at sea, or attempt to perform such act;
- c) mutiny or conspiracy by two or more members of the crew or other persons on board of a vessel on the high seas, for the purpose of rebelling against the authority of the Captain or Commander of such vessel, or to take possession of such vessel by fraud or violence;

- d) assault on board of a ship on the high seas, with intent to do bodily harm.

9. Burglary, breaking into a house.

10. Breaking into or forcing an entrance into the official premises of the Government or public authorities, or into other buildings, other than dwellings, with intent to commit a crime there.

11. Robbery.

12. Forgery of documents or the circulation of forged documents.

13. Forgery or falsification of official documents of the Government or public authorities including the courts, or the circulation or fraudulent use thereof.

14. The fabrication of counterfeit money, whether coin or paper, counterfeit titles or coupons of the public debt created by national, State, provincial, territorial, local or municipal administrations, bank notes or other instruments of public credit, counterfeit seals, stamps, dies and other marks of State or public administration offices and the utterance, circulation or fraudulent use of the above-mentioned objects.

15. Embezzlement.

16. Kidnapping of minors or adults, defined to be the abduction or detention of one or more persons, in order to extort money from them, their families, or one or more other persons, or for any other unlawful purpose.

17. Larceny, that is the theft of articles, movable property or money of the value of twenty-five or more dollars or the equivalent thereof in Liechtenstein currency.

18. Obtaining money, securities or other property by false pretenses or acceptance of money, securities or other property, knowing the same has been unlawfully obtained, when the amount of the money or the value of the property so acquired or accepted exceeds two hundred dollars or the equivalent thereof in Liechtenstein currency.

19. Perjury.

20. Fraud or breach of trust by a bailee, banker, agent, factor, trustee, executor, administrator, guardian, director or official of a company or corporation, or by any person in a fiduciary position, when the amount of money or the value of the property misappropriated exceeds two hundred dollars or the equivalent thereof in Liechtenstein currency.

21. Crimes and offenses against the laws for the suppression of slavery or the slave trade.

8. Zur See verübte Verbrechen:

- a) Seeräuberei im landläufigen Sinne des Wortes und nach der völkerrechtlichen oder gesetzlichen Begriffsbestimmung;
- b) unrechtmässige Versenkung oder Zerstörung eines Schiffes zur See oder der Versuch hiezu;
- c) Meuterei oder Verschwörung zweier oder mehrerer Mitglieder der Besatzung oder anderer Personen an Bord eines auf hoher See befindlichen Fahrzeuges, um sich gegen die Befehlsgewalt des Kapitäns oder Kommandanten eines solchen Fahrzeuges zu empören oder um sich durch List oder Gewalt in den Besitz eines solchen Fahrzeuges zu setzen;
- d) Ueberfall an Bord eines Schiffes auf hoher See in der Absicht, körperlichen Schaden zuzufügen.

9. Einbruch, Eindringen in ein Haus.

10. Das Einbrechen und Eindringen in die Amtsräume der Regierung oder öffentlichen Behörden, oder in sonstige Gebäude, die nicht Wohnhäuser sind, in der Absicht, darin ein Verbrechen zu begehen.

11. Raub.

12. Fälschung von Urkunden oder Verbreitung gefälschter Urkunden.

13. Fälschung oder Verfälschung amtlicher Schriftstücke der Regierung oder öffentlichen Behörden einschliesslich der Gerichte oder deren Verbreitung oder betrügerische Benutzung.

14. Die Erzeugung von Falschgeld, sei es gemünztes oder Papiergeld, von gefälschten Stücken oder Coupons der öffentlichen Schuld, die von Bundes-, Staats-, Provinzial-, Territorial-, Lokal- oder städtischen Verwaltungen aufgenommen wurde, von Banknoten oder andern öffentlichen Kreditpapieren, gefälschten Siegeln, Stempeln, Prägestempeln und Marken staatlicher oder öffentlicher Verwaltungen und die Ausgabe, Verbreitung oder betrügerische Benutzung der oben erwähnten Gegenstände.

15. Veruntreuung.

16. Raub von Minderjährigen oder Erwachsenen, das ist die Entführung oder Gefangenhaltung einer oder mehrerer Personen, um von ihnen, ihren Familien, oder einer oder mehreren andern Personen Geld zu erpressen, oder zu einem andern ungesetzlichen Zweck.

17. Diebstahl, das ist die Entwendung von Sachen, beweglichem Gut oder Geld im Werte von fünfundzwanzig oder mehr Dollar oder deren Gegenwert in liechtensteinischer Währung.

18. Erlangung von Geld, Wertpapieren oder anderem Vermögen auf Grund falscher Vorspiegelungen oder Annahme von Geld, Wertpapieren oder anderem Vermögen in Kenntnis des Umstandes, dass das Angenommene unrechtmässig erworben worden ist, wenn der auf diese Weise erworbene oder angenommene Geldbetrag oder Vermögenswert zweihundert Dollar oder deren Gegenwert in liechtensteinischer Währung übersteigt.

19. Meineid.

20. Unterschlagung oder Vertrauensmissbrauch seitens eines Verwahrers, Bankiers, Agenten, Kommissionärs, Treuhänders, Testamentsvollstreckers, Verwalters, Vormundes, Direktors oder Beamten einer Gesellschaft oder Körperschaft oder seitens irgend einer Person in Vertrauensstellung, wenn der Betrag oder Wert des widerrechtlich zugeeigneten Geldes oder Vermögens zweihundert Dollar oder deren Gegenwert in liechtensteinischer Währung übersteigt.

21. Verbrechen und Vergehen gegen die Gesetze zur Unterdrückung der Sklaverei und des Sklavenhandels.

Abandonment, etc.,
of minor children.

22. Wilful abandonment or wilful non-support of minor children or those unable to support themselves.

Bribery.

23. Bribery.

Bankruptcy law
violations.

24. Crimes or offenses against the bankruptcy laws.

Narcotics traffic.

25. Crimes or offenses against the laws for suppression of the narcotics traffic.

Use of mails for
fraudulent purposes.

26. Use of the mails for fraudulent purposes.

Accessories, etc

27. Extradition shall also take place for participation in any of the crimes or offenses beforementioned, before or after the commission thereof, or for an attempt to commit one of the beforementioned crimes or offenses.

Application of laws
with respect to desig-
nated crimes, etc

With respect to the above-enumerated crimes and offenses it is agreed that when one of those crimes or offenses is not designated as such in the laws of one of the States, nevertheless the extradition shall take place when such crime or offense includes as an essential element an act which is designated as punishable, by the laws of the State in whose territory the fugitive is found.

ARTICLE III.

Not applicable to
political, etc., crimes.

The provisions of this Treaty shall not import a claim for extradition for a crime or offense of a political character nor for acts connected with such crimes or offenses, and no person surrendered under this Treaty by or to one of the High Contracting Parties shall be brought to trial or punished on account of a political crime or offense committed before his extradition. The State to which the application is made, or its courts, shall decide whether the act is of a political character. When the punishable act charged includes an accomplished or attempted murder, assassination, or poisoning, the fact that the act was accomplished or attempted against the life of the ruler or the supreme head of one of the High Contracting Parties or against the ruler or the supreme head of a foreign State or against the life of a member of the family of either of them shall not be deemed sufficient to sustain that the crime or offense was of a political character, or was an act connected with crimes or offenses of a political character.

Murder, etc., of
head of State, etc., not
a political crime.

ARTICLE IV.

Trial limited to of-
fense for which sur-
rendered.

No person shall be tried for any crime or offense committed before his extradition other than that for which he was surrendered, unless he shall have been allowed one month to leave the country after having been tried, or one month in case of conviction after having paid the penalty or having been set at liberty.

ARTICLE V.

Time limitation.

An accused person shall not be extradited, under the provisions of this Treaty, when, from lapse of time or other lawful cause under the laws of the State asking extradition, he is exempt from prosecution or punishment on account of the punishable act for which extradition is asked.

22. Böswilliges Verlassen oder böswilliges Nichterhalten minderjähriger oder nicht selbsterhaltungsfähiger Kinder.

23. Bestechung.

24. Verbrechen oder Vergehen gegen die Konkursgesetzgebung.

25. Verbrechen oder Vergehen gegen die Gesetze zur Unterdrückung des Handels mit Betäubungsmitteln.

26. Benützung der Post zu betrügerischen Zwecken.

27. Die Auslieferung soll auch stattfinden wegen Beteiligung an einem der vorgenannten Verbrechen oder Vergehen vor oder nach seiner Verübung oder wegen Versuchs eines der vorgenannten Verbrechen oder Vergehen.

Mit Bezug auf die vorstehend aufgezählten Verbrechen und Vergehen besteht Einverständnis und Einigung darüber, dass, wenn eines dieser Verbrechen oder Vergehen in den Gesetzen eines der Staaten nicht als solches bezeichnet ist, die Auslieferung wegen des in Frage kommenden Verbrechens oder Vergehens trotzdem stattfinden soll, wenn es als wesentlichen Bestandteil eine Handlung einschliesst, die durch die Gesetze des Staates, auf dessen Gebiet der Verfolgte angetroffen wird, als strafbar bezeichnet wird.

ARTIKEL III.

Die Bestimmungen dieses Vertrages sollen keinen Anspruch auf Auslieferung wegen Verbrechen oder Vergehen politischer Art oder wegen Handlungen, die mit derartigen Verbrechen oder Vergehen im Zusammenhang stehen, geben und keine Person, die kraft dieses Vertrages von einem oder an einen der Hohen Vertragschliessenden Teile ausgeliefert wurde, soll wegen eines vor ihrer Auslieferung begangenen politischen Verbrechens oder Vergehens vor Gericht gestellt oder bestraft werden. Der ersuchte Staat oder dessen Gerichte sollen entscheiden, ob die Tat politischer Art ist. Wenn die zur Last gelegte strafbare Tat einen vollbrachten oder versuchten Mord, Meuchelmord oder Giftmord in sich schliesst, soll der Umstand, dass die Tat gegen das Leben des Herrschers oder Oberhauptes eines der Hohen Vertragschliessenden Teile oder gegen den Herrscher oder das Oberhaupt eines fremden Staates oder gegen das Leben eines Mitgliedes der Familie des einen oder des andern von ihnen vollbracht oder versucht wurde, nicht als hinreichend angesehen werden, um zu behaupten, dass das Verbrechen oder Vergehen politischer Art oder eine Handlung war, die mit Verbrechen oder Vergehen politischer Art im Zusammenhang steht.

ARTIKEL IV.

Keine Person soll wegen eines vor ihrer Auslieferung begangenen Verbrechens oder Vergehens, derentwegen die Auslieferung nicht erfolgt ist, vor Gericht gestellt werden, es sei denn, dass sie während eines Monats, nachdem sie vor Gericht gestellt gewesen war, oder für den Fall einer Verurteilung während eines Monats nach erfolgter Verbüssung der Strafe oder Begnadigung die Freiheit gehabt hat, das Land zu verlassen.

ARTIKEL V.

Eine angeklagte Person soll nach den Bestimmungen dieses Vertrages nicht ausgeliefert werden, wenn wegen Zeitablaufs oder aus einem andern Rechtsgrunde nach den Gesetzen des ersuchenden Staates ihre Verfolgung oder Bestrafung wegen der strafbaren Handlung, derentwegen die Auslieferung verlangt wird, ausgeschlossen ist.

ARTICLE VI.

Person under prosecution in country where found

If an accused person whose extradition may be claimed pursuant to the provisions of this Treaty be actually under prosecution, out on bail, in custody or sentenced for a crime or offense committed in the State to which he has fled, his extradition may be deferred until such proceedings are brought to an end and until he shall have been set at liberty in due course of law.

ARTICLE VII.

Person claimed by other Powers.

If the extradition of an accused person, which is requested by one of the two Contracting Parties, is also requested by one or more other powers, on the ground of treaty provisions, for crimes or offenses committed within their jurisdiction, the person must be surrendered to that State whose request was first received, unless it is withdrawn.

Existing treaties with other States not affected

This Article shall not affect treaties which were already concluded by one of the Contracting Parties at a previous period with other States.

ARTICLE VIII.

Neither country bound to deliver up its own citizens, exception.

Under the provisions of this Treaty, neither of the High Contracting Parties shall be bound to surrender its own citizens, with the exception of cases in which such citizenship has been acquired after commission of the crime for which extradition is sought. The decision as to whether the person whose extradition is requested is its own citizen, belongs to the State to which the application for requisition is made.

ARTICLE IX.

Expenses of arrest, etc.

The cost of transporting the fugitive shall be borne by the Government which has made the request for extradition. The competent officials of the country in which the extradition proceedings are to take place shall assist the officials of the Government requesting the extradition before the judges and magistrates by every legal means at their disposal. The Government which requested the extradition is liable for reimbursement of costs only for the subsistence and lodging of the fugitive, which have arisen prior to the extradition through the arrest, detention, the investigation proceedings and the delivery of the fugitive. However, the officials of the surrendering Government who shall in the course of their duty, receive specified fees for the services performed, instead of other compensation or payment, shall be entitled to receive from the Government asking extradition, the customary fees for the acts or services performed by them in the same manner and to the same amount as though such acts or services had been performed in ordinary criminal proceedings under the law of the country of which they are officers.

Officials of surrendering Government, compensation

ARTICLE X.

Articles seized with fugitive.

Everything found in the possession of an accused person, at the time of the arrest, if it is the proceeds of the crime or offense, or may be material as evidence, shall so far as practicable under the laws of the two High Contracting Parties be delivered up with his person at the time of surrender. Nevertheless, the rights of third persons with regard to the articles referred to shall be duly respected.

ARTIKEL VI.

Wenn eine angeklagte Person, deren Auslieferung auf Grund der Bestimmungen dieses Vertrages verlangt werden kann, zurzeit wegen eines Verbrechens oder Vergehens, das im Zufluchtsstaate begangen worden ist, verfolgt wird, sich gegen Sicherheitsleistung auf freiem Fuss oder in Haft befindet, oder verurteilt worden ist, so kann ihre Auslieferung aufgeschoben werden, bis dieses Verfahren zu Ende geführt und sie von Rechts wegen auf freien Fuss gesetzt worden ist.

ARTIKEL VII.

Wenn die Auslieferung einer angeklagten Person, die von einem der beiden Vertragsteile begehrt wird, auch von einer oder mehreren andern Mächten auf Grund von vertraglichen Bestimmungen wegen innerhalb ihrer Gerichtsbarkeit begangener Verbrechen oder Vergehen verlangt wird, ist die Person jenem Staate auszuliefern, dessen Begehren zuerst einlangte, es sei denn, dass dieses zurückgezogen wird.

Dieser Artikel soll Verträge nicht berühren, die schon zu einem frühern Zeitpunkte von einem der Vertragschliessenden Teile mit andern Staaten abgeschlossen worden sind.

ARTIKEL VIII.

Nach den Bestimmungen dieses Vertrages soll keiner der Hohen Vertragschliessenden Teile verpflichtet sein, seine eigenen Staatsangehörigen auszuliefern, mit Ausnahme der Fälle, in denen diese Staatsangehörigkeit nach der Begehung des Verbrechens, derentwegen die Auslieferung nachgesucht wird, erworben worden ist. Der Beschluss darüber, ob die Person, deren Auslieferung verlangt wird, sein eigener Staatsangehöriger ist, kommt dem ersuchten Staate zu.

ARTIKEL IX.

Die Kosten für die Ueberführung des Verfolgten werden von der Regierung getragen, die das Auslieferungsersuchen gestellt hat. Die zuständigen Beamten des Landes, in dem das Auslieferungsverfahren stattzufinden hat, sollen mit allen ihnen zur Verfügung stehenden gesetzlichen Mitteln den Beamten der ersuchenden Regierung Beistand vor den Richtern und Beamten gewähren. Die Regierung, welche die Auslieferung begehrt hat, ist zum Kostenersatz nur für die Verpflegung und Unterkunft des Verfolgten, die vor der Auslieferung durch die Festnahme, Festhaltung, das Prüfungsverfahren und die Uebergabe des Verfolgten entstanden sind, verpflichtet. Indessen sollen die Beamten der ausliefernden Regierung, die mitwirken, wenn sie im allgemeinen für ihre Dienstleistungen statt anderer Entschädigung oder Bezahlung feststehende Gebühren für die geleisteten Dienste bekommen, berechtigt sein, von der um Auslieferung ersuchenden Regierung die üblichen Gebühren für ihre Tätigkeit oder die geleisteten Dienste in derselben Weise und in derselben Höhe zu beanspruchen, wie sie sie für eine Tätigkeit oder Dienste, die sie in sonstigen Strafverfahren nach dem Rechte des Landes, in dem sie Beamte sind, erhalten.

ARTIKEL X.

Alles was zur Zeit der Verhaftung einer angeklagten Person in ihrem Besitze gefunden wird, es mag aus dem Verbrechen oder Vergehen herkommen oder als Beweismittel von Bedeutung sein, soll, soweit dies nach den Gesetzen der beiden Hohen Vertragschliessenden Teile durchführbar ist, zugleich mit seiner Person bei der Auslieferung mitübergergeben werden. Die Rechte dritter Personen in Ansehung der angeführten Gegenstände sollen jedoch berücksichtigt werden.

ARTICLE XI.

Territory affected. The provisions of the present Treaty shall be applicable to all territory wherever situated, belonging to one of the High Contracting Parties, or in the occupancy or control of one of them, during such occupancy or control.

Requisitions. Requisitions for the extradition of fugitives from justice shall be made by the diplomatic representatives of the Contracting States. In the event of the absence of such representatives from the country or its seat of Government, or if extradition is sought from a territory outside of the United States of America or the Principality of Liechtenstein, in the manner specified in Article I, the requests may be made by superior consular officers.

Arrest. The arrest of the fugitive shall take place in accordance with the provisions of the laws of the States concerned. If, after examination on the basis of the provisions of law and the evidence, it is decided that the extradition must be granted under this Treaty, extradition of the fugitive shall be carried out in accordance with the legal regulations provided for such cases.

Release, if formal request not forthcoming, time limitation. A person provisionally arrested shall be released, if, within two months counted from the day of opening the proceedings in the United States of America, and in Liechtenstein, from the day of the arrest, the formal requisition for surrender with the documentary evidence hereinafter described has not been made by the diplomatic representative of the Government making the request, or in his absence, by a consular officer thereof, in the above-mentioned manner.

Papers required. If the accused person has been sentenced for the crime or offense for which his extradition is requested, a duly authenticated copy of the sentence of the court which pronounced the sentence shall be produced. When the accused person is merely charged with a crime, a duly authenticated copy of the warrant for arrest issued in the State where the act was committed, shall be produced, with the proofs of guilt mentioned in Article I of this Treaty.

Ante, p. 1338.

ARTICLE XII.

Ratification. This Treaty, the English and German texts of which are equally authoritative, shall be ratified by the High Contracting Parties in accordance with the constitutional provisions applicable to them and shall go into effect on the day of the exchange of the instruments of ratification, which shall take place at Berne as soon as possible.

ARTICLE XIII.

Duration. This Treaty shall remain in force for a period of five years, and in case neither of the High Contracting Parties gives notice a year prior to the expiration of this period of its intention to terminate the Treaty, it shall remain in force until the expiration of a year from the day on which one of the High Contracting Parties denounces it.

Signatures. In witness whereof the above-mentioned plenipotentiaries have signed this Treaty and have hereunto affixed their seals.

Done in duplicate at Berne on May twentieth, nineteen hundred and thirty six.

[SEAL] HUGH R WILSON
[SEAL] MOTTA

ARTIKEL XI.

Die Bestimmungen des vorliegenden Vertrages sollen auf alle wo immer gelegenen Gebiete anwendbar sein, die einem der Hohen Vertragschliessenden Teile angehören oder unter der Besetzung oder Kontrolle eines von ihnen stehen, solange die Besetzung oder Kontrolle dauert.

Anträge auf Auslieferung eines Verfolgten sollen von den diplomatischen Vertretern der vertragschliessenden Staaten gestellt werden. Sind solche Vertreter im Lande oder am Regierungssitze nicht vorhanden, oder wird die Auslieferung aus einem ausserhalb der Vereinigten Staaten von Amerika oder des Fürstentums Liechtenstein gelegenen Gebiete der im Artikel I bezeichneten Art nachgesucht, so können die Ersuchen von höhern Konsulatsbeamten gestellt werden.

Die Festnahme des Verfolgten geschieht nach Massgabe der Gesetze der betreffenden Staaten. Wenn nach einer Prüfung auf Grund der gesetzlichen Vorschriften und des Beweisergebnisses entschieden wird, dass die Auslieferung nach diesem Verträge gewährt werden muss, soll bei der Auslieferung des Verfolgten nach den für solche Fälle vorgesehenen gesetzlichen Bestimmungen verfahren werden.

Der vorläufig Verhaftete soll freigelassen werden, wenn nicht innerhalb von zwei Monaten, und zwar in den Vereinigten Staaten von Amerika vom Tage der Eröffnung des Verfahrens, in Liechtenstein vom Tage der Festnahme an gerechnet, das förmliche Auslieferungsgesuchen mit den unten vorgeschriebenen urkundlichen Unterlagen vom diplomatischen Vertreter der ersuchenden Regierung oder in seiner Abwesenheit von einem ihrer Konsularbeamten in der vorerwähnten Weise gestellt wird.

Wenn die angeklagte Person wegen des Verbrechens oder Vergehens, derentwegen ihre Auslieferung verlangt wird, verurteilt worden ist, muss eine gehörig beglaubigte Abschrift des Urteils des Gerichts, das die Verurteilung ausgesprochen hat, beigebracht werden. Wenn aber der Angeklagte eines Verbrechens nur beschuldigt wird, muss eine gehörig beglaubigte Abschrift des in dem Staate, wo die Tat begangen wurde, erlassenen Haftbefehls zusammen mit den in Artikel I dieses Vertrages erwähnten Schuldbeweisen beigebracht werden.

ARTIKEL XII.

Dieser Vertrag, dessen englischer und deutscher Wortlaut in gleicher Weise massgebend sind, soll von den Hohen Vertragschliessenden Teilen gemäss den für sie geltenden verfassungsrechtlichen Vorschriften ratifiziert werden und am Tage des Austausches der Ratifikationsurkunden, der möglichst bald in Bern stattfinden soll, in Kraft treten.

ARTIKEL XIII.

Dieser Vertrag soll für einen Zeitraum von fünf Jahren in Kraft bleiben, und falls keiner der Hohen Vertragschliessenden Teile ein Jahr vor dem Ablauf dieses Zeitraumes seine Absicht kundgibt, den Vertrag zu kündigen, soll er weiter in Kraft bleiben bis zum Ablaufe eines Jahres von dem Tage an, an dem einer der Hohen Vertragschliessenden Teile ihn kündigt.

Zu Urkund dessen haben die oben bezeichneten Bevollmächtigten diesen Vertrag unterzeichnet und mit ihren Siegeln versehen.

Geschehen in doppelter Ausfertigung zu Bern am zwanzigsten Mai neunzehnhundertsechunddreissig.

[SEAL]	HUGH R WILSON
[SEAL]	MOTTA

Ratifications
exchanged

AND WHEREAS the said Treaty has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Bern on the twenty-eighth day of June, one thousand nine hundred and thirty-seven;

Proclamation.

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this eighth day of July in the year of our Lord one thousand nine hundred and thirty-
[SEAL] seven and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

Supplementary extradition treaty between the United States of America and Rumania. Signed at Bucharest, November 10, 1936; ratification advised by the Senate, April 27, 1937; ratified by the President, May 19, 1937; ratified by Rumania, July 7, 1937; ratifications exchanged at Bucharest, July 27, 1937; proclaimed, July 30, 1937.

November 10, 1936
[T. S. No 916]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

WHEREAS a supplementary extradition treaty between the United States of America and the Kingdom of Rumania was concluded and signed by their respective Plenipotentiaries at Bucharest, on the tenth day of November, one thousand nine hundred and thirty-six, the original of which supplementary extradition treaty, being in the English and French languages is word for word as follows:

Supplementary extradition treaty with Rumania
Preamble.

The United States of America judging it necessary to conclude an additional treaty to the treaty of extradition signed at Bucharest on July 23, 1924, to complete the cases in which extradition is granted between the two States, have appointed for this purpose as plenipotentiaries as follows:

Les Etats-Unis d'Amérique et le Royaume de Roumanie, jugeant nécessaire de conclure un traité additionnel du traité d'extradition signé à Bucarest le 23 Juillet 1924, pour compléter les cas dans lesquels l'extradition est accordée entre les deux Etats, ont nommé à ces fins comme plenipotentiaries, savoir:

Contracting Powers

44 Stat 2020.

The President of the United States of America:

Le Président des Etats-Unis d'Amérique:

Plenipotentiaries.

Mr. Leland Harrison, Envoy Extraordinary and Minister Plenipotentiary of the United States in Rumania; and

M. Leland Harrison, Envoyé extraordinaire et Ministre plenipotentiaire des Etats-Unis en Roumanie; et

His Majesty The King of Rumania:

Sa Majesté le Roi de Roumanie:

Mr. Victor Bădulescu, Under Secretary for Foreign Affairs;

M. Victor Bădulesco, Sous-Secrétaire d'Etat aux Affaires Etrangères;

Who, after having exchanged their credentials, recognized in due and good form, have agreed to the following provisions:

Lesquels, après avoir échangé leurs pleins pouvoirs, reconnus en bonne et due forme, sont convenus des dispositions suivantes:

ARTICLE I.—

ARTICLE I.—

The crimes and offenses which follow are added to Article II of the above mentioned treaty, for which extradition may be granted, that is:

Les crimes et délits qui suivent sont ajoutés à l'art. II du traité ci-dessus mentionné, pour lesquels l'extradition peut être accordée, savoir:

Addition to extraditable crimes, etc.

24. Crimes and offenses against the bankruptcy laws.

24. Les crimes et les délits contre les lois de la faillite.

Crimes, etc., against bankruptcy laws.

ARTICLE II.—

ARTICLE II.—

The present treaty will be considered as forming an integral part of the treaty of July 23, 1924, and,

Le présent traité sera considéré comme faisant partie intégrante du traité du 23 Juillet 1924,

Considered part of former treaty.

44 Stat. 2024.

consequently, the list in Article II shall be so completed that point 24 of the principal treaty shall become point 25.—

et, en conséquence, la liste de l'art. II sera complétée de la sorte que le point 24, du traité principal, devienne le point 25.—

ARTICLE III.—

ARTICLE III.—

Ratification.

The present treaty shall be ratified by the High Contracting Parties according to their respective constitutional provisions and will come into force on the day of exchange of ratifications, which will take place at Bucharest as soon as possible.

Le présent traité sera ratifié par les Hautes Parties contractantes conformément aux dispositions constitutionnelles respectives et deviendra exécutoire le jour de l'échange des ratifications, qui aura lieu, aussitôt que faire se pourra, à Bucarest.

ARTICLE IV.—

ARTICLE IV.—

Duration.

The present treaty will be in force for the duration of enforcement of the treaty of July 23, 1924, and their application will cease at the same time.

Le présent traité restera en vigueur pendant toute la durée que sera en vigueur le traité du 23 Juillet 1924 et leur application cessera en même temps.

Signatures.

In witness whereof the above-named plenipotentiaries have signed the present treaty, drawn up in the English language and in the French language, and have hereunto affixed their seals.

En foi de quoi les Plénipotentiaires susnommés ont signé le présent traité, rédigé en langue anglaise et en langue française, et y ont apposé leurs sceaux.

Done in duplicate, at Bucharest, the tenth day of the month of November 1936.

Fait en double, à Bucarest, le dixième jour du mois de Novembre 1936.

[SEAL]

LELAND HARRISON.

[SEAL]

VICTOR BADULESCU

Ratifications exchanged.

AND WHEREAS the said supplementary extradition treaty has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Bucharest, on the twenty-seventh day of July, one thousand nine hundred and thirty-seven;

Proclamation.

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said supplementary extradition treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this thirtieth day of July in the year of our Lord one thousand nine hundred and thirty-

[SEAL] seven, and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

Convention between the United States of America and Canada revising the convention for the preservation of halibut fishery of Northern Pacific Ocean and Bering Sea. Signed at Ottawa, January 29, 1937; ratification advised by the Senate, March 23, 1937; ratified by the President, March 29, 1937; ratified by His Majesty in respect of Canada, June 26, 1937; ratifications exchanged at Ottawa, July 28, 1937; proclaimed, August 4, 1937.

January 29, 1937
[T. S. No 917]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

WHEREAS a Convention between the United States of America and Canada, revising the Convention for the preservation of the halibut fishery of the northern Pacific Ocean and Bering Sea, signed at Ottawa May 9, 1930, was concluded and signed by their respective Plenipotentiaries at Ottawa, on the twenty-ninth day of January, one thousand nine hundred and thirty-seven, the original of which Convention is word for word as follows:

Halibut fishery,
Northern Pacific
Ocean and Bering Sea.
Convention with
Canada.
Preamble.
47 Stat. 1872.

The President of the United States of America,
And His Majesty the King of Great Britain, Ireland, and the British dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada,

Contracting
Powers.

Desiring to provide more effectively for the preservation of the halibut fishery of the northern Pacific Ocean and Bering Sea, have resolved to conclude a convention revising the convention for the preservation of that fishery signed on their behalf at Ottawa on May 9, 1930, and have named as their plenipotentiaries for that purpose,

Plenipotentiaries.

The President of the United States of America:

Norman Armour, Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Canada; and

His Majesty, for the Dominion of Canada:

The Right Honourable William Lyon Mackenzie King, Prime Minister and Secretary of State for External Affairs;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles:

ARTICLE I

The nationals and inhabitants and fishing vessels and boats of the United States of America and of Canada, respectively, are hereby prohibited from fishing for halibut (*Hippoglossus*) both in the territorial waters and in the high seas off the western coasts of the United States of America, including the southern as well as the western coasts of Alaska, and of Canada, from the first day of November next after the date of the exchange of ratifications of this Convention to the fifteenth day of the following February, both days inclusive, and within the same period yearly thereafter.

Halibut fishing
Closed seasons and
prohibited waters.

The International Fisheries Commission provided for by Article III is hereby empowered, subject to the approval of the President of the United States of America and of the Governor General of

International Fish-
eries Commission,
powers, etc.

Halibut incidentally taken

Other fishing not affected.

Fishing operations for investigation purposes.

Canada, to suspend or change the closed season provided for by this Article, as to part or all of the convention waters, when it finds after investigation such suspensions or changes are necessary, and to permit, limit, regulate and prohibit in any area or at any time when fishing for halibut is prohibited, the taking, retention and landing of halibut caught incidentally to fishing for other species of fish, and the possession during such fishing of halibut of any origin.

It is understood that nothing contained in this Convention shall prohibit the nationals or inhabitants or the fishing vessels or boats of the United States of America or of Canada, from fishing in the waters hereinbefore specified for other species of fish during the season when fishing for halibut in such waters is prohibited by this Convention or by any regulations adopted in pursuance of its provisions.

It is further understood that nothing contained in this Convention shall prohibit the International Fisheries Commission from conducting fishing operations for investigation purposes at any time.

ARTICLE II

Seizures for violations.

Every national or inhabitant, vessel or boat of the United States of America or of Canada engaged in halibut fishing on the high seas in violation of this Convention or of any regulation adopted under the provisions thereof may be seized by the duly authorized officers of either High Contracting Party and detained by the officers making such seizure and delivered as soon as practicable to an authorized official of the country to which such person, vessel or boat belongs, at the nearest point to the place of seizure, or elsewhere, as may be agreed upon. The authorities of the nation to which such person, vessel or boat belongs alone shall have jurisdiction to conduct prosecutions for the violation of the provisions of this Convention, or any regulations which may be adopted in pursuance of its provisions, and to impose penalties for such violations; and the witnesses and proofs necessary for such prosecutions, so far as such witnesses or proofs are under the control of the other High Contracting Party, shall be furnished with all reasonable promptitude to the authorities having jurisdiction to conduct the prosecutions.

Prosecutions.

Responsibility for observance.

Each High Contracting Party shall be responsible for the proper observance of this Convention, or of any regulation adopted under the provisions thereof, in the portion of its waters covered thereby.

ARTICLE III

International Fisheries Commission, continuance.

43 Stat. 1841; 47 Stat. 1872.

Filling vacancies.

Salaries and expenses.

The High Contracting Parties agree to continue under this Convention the Commission as at present constituted and known as the International Fisheries Commission, established by the Convention for the preservation of the halibut fishery, signed at Washington, March 2, 1923, and continued under the Convention signed at Ottawa, May 9, 1930, consisting of four members, two appointed by each Party, which Commission shall make such investigations as are necessary into the life history of the halibut in the convention waters and shall publish a report of its activities from time to time. Each of the High Contracting Parties shall have power to fill, and shall fill from time to time, vacancies which may occur in its representation on the Commission. Each of the High Contracting Parties shall pay the salaries and expenses of its own members, and joint expenses incurred by the Commission shall be paid by the two High Contracting Parties in equal moieties.

The High Contracting Parties agree that for the purposes of protecting and conserving the halibut fishery of the Northern Pacific Ocean and Bering Sea, the International Fisheries Commission, with the approval of the President of the United States of America and of the Governor General of Canada, may, in respect of the nationals and inhabitants and fishing vessels and boats of the United States of America and of Canada, from time to time,

Administrative provisions.

(a) divide the convention waters into areas;
(b) limit the catch of halibut to be taken from each area within the season during which fishing for halibut is allowed;

(c) prohibit departure of vessels from any port or place, or from any receiving vessel or station, to any area for halibut fishing, after any date when in the judgment of the International Fisheries Commission the vessels which have departed for that area prior to that date or which are known to be fishing in that area shall suffice to catch the limit which shall have been set for that area under section (b) of this paragraph;

(d) fix the size and character of halibut fishing appliances to be used in any area;

(e) make such regulations for the licensing and departure of vessels and for the collection of statistics of the catch of halibut as it shall find necessary to determine the condition and trend of the halibut fishery and to carry out the other provisions of this Convention;

(f) close to all halibut fishing such portion or portions of an area or areas as the International Fisheries Commission find to be populated by small, immature halibut.

ARTICLE IV

The High Contracting Parties agree to enact and enforce such legislation as may be necessary to make effective the provisions of this Convention and any regulations adopted thereunder, with appropriate penalties for violations thereof.

Enactment, etc., of effective legislation

ARTICLE V

The present Convention shall remain in force for a period of five years and thereafter until two years from the date when either of the High Contracting Parties shall give notice to the other of its desire to terminate it.

Duration.

This Convention shall, from the date of the exchange of ratifications, be deemed to supplant the Convention for the preservation of the halibut fishery signed at Ottawa, May 9, 1930.

Former Convention superseded
47 Stat. 1872.

ARTICLE VI

This Convention shall be ratified in accordance with the constitutional methods of the High Contracting Parties. The ratifications shall be exchanged at Ottawa as soon as practicable, and the Convention shall come into force on the day of the exchange of ratifications.

Ratification.

In faith whereof, the respective plenipotentiaries have signed the present Convention in duplicate, and have hereunto affixed their seals.

Signatures.

Done at Ottawa on the twenty-ninth day of January, in the year one thousand nine hundred and thirty-seven.

NORMAN ARMOUR
W. L. MACKENZIE KING

[SEAL]
[SEAL]

Ratifications exchanged.

AND WHEREAS the said Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Ottawa, on the twenty-eighth day of July, one thousand nine hundred and thirty-seven;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this fourth day of August in the year of our Lord one thousand nine hundred and thirty-
[SEAL] seven, and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

Convention between the United States of America and Canada and protocol of exchange of ratifications concerning the sockeye salmon fisheries. Signed at Washington, May 26, 1930; ratification advised by the Senate, subject to understandings, June 16, 1936; ratified by the President, subject to the said understandings, July 23, 1937; ratified by His Majesty in respect of Canada, June 26, 1937; ratifications exchanged at Washington, July 28, 1937; proclaimed, August 4, 1937.

May 26, 1930

[T. S. No 918]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

WHEREAS a Convention between the United States of America and Canada for the protection, preservation and extension of the sockeye salmon fishery of the Fraser River system was concluded and signed by their respective Plenipotentiaries at Washington, on the twenty-sixth day of May, one thousand nine hundred and thirty, the original of which Convention is word for word as follows:

Convention with
Canada concerning
the sockeye salmon
fisheries
Preamble.

The President of the United States of America and His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada, recognizing that the protection, preservation and extension of the sockeye salmon fisheries in the Fraser River system are of common concern to the United States of America and the Dominion of Canada; that the supply of this fish in recent years has been greatly depleted and that it is of importance in the mutual interest of both countries that this source of wealth should be restored and maintained, have resolved to conclude a Convention and to that end have named as their respective plenipotentiaries:

Contracting
Powers.

The President of the United States of America: Mr. Henry L. Stimson, Secretary of State of the United States of America; and

Plenipotentiaries.

His Majesty, for the Dominion of Canada: The Honorable Vincent Massey, a member of His Majesty's Privy Council for Canada and His Envoy Extraordinary and Minister Plenipotentiary for Canada at Washington;

Who, after having communicated to each other their full powers, found in good and due form, have agreed upon the following Articles:

ARTICLE I

The provisions of this Convention and the orders and regulations issued under the authority thereof shall apply, in the manner and to the extent hereinafter provided in this Convention, to the following waters:

Geographical limits.

1. The territorial waters and the high seas westward from the western coast of the United States of America and the Dominion of Canada and from a direct line drawn from Bonilla Point, Vancouver Island, to the lighthouse on Tatoosh Island, Washington,—which line marks the entrance to Juan de Fuca Strait,—and embraced between 48 and 49 degrees north latitude, excepting therefrom, however, all the waters of Barklay Sound, eastward of a straight line drawn from Amphitrite Point to Cape Beale and all the waters of Nitinat Lake and the entrance thereto.

2. The waters included within the following boundaries:

Beginning at Bonilla Point, Vancouver Island, thence along the aforesaid direct line drawn from Bonilla Point to Tatoosh Lighthouse, Washington, described in paragraph numbered 1 of this Article, thence to the nearest point of Cape Flattery, thence following the southerly shore of Juan de Fuca Strait to Point Wilson, on Quimper Peninsula, thence in a straight line to Point Partridge on Whidbey Island, thence following the western shore of the said Whidbey Island, to the entrance to Deception Pass, thence across said entrance to the southern side of Reservation Bay, on Fidalgo Island, thence following the western and northern shore line of the said Fidalgo Island to Swinomish Slough, crossing the said Swinomish Slough, in line with the track of the Great Northern Railway, thence northerly following the shore line of the mainland to Atkinson Point at the northerly entrance to Burrard Inlet, British Columbia, thence in a straight line to the southern end of Bowen Island, thence westerly following the southern shore of Bowen Island to Cape Roger Curtis, thence in a straight line to Gower Point, thence westerly following the shore line to Welcome Point on Seachelt Peninsula, thence in a straight line to Point Young on Lasqueti Island, thence in a straight line to Dorcas Point on Vancouver Island, thence following the eastern and southern shores of the said Vancouver Island to the starting point at Bonilla Point, as shown on the United States Coast and Geodetic Survey Chart Number 6300, as corrected to March 14, 1930, and on the British Admiralty Chart Number 579, copies of which are annexed to this Convention and made a part thereof.

Fraser River and
tributary waters.

3. The Fraser River and the streams and lakes tributary thereto.

The High Contracting Parties engage to have prepared as soon as practicable charts of the waters described in this Article, with the above described boundaries thereof and the international boundary indicated thereon. Such charts, when approved by the appropriate authorities of the Governments of the United States of America and the Dominion of Canada, shall be considered to have been substituted for the charts annexed to this Convention and shall be authentic for the purposes of the Convention.

Establishment of
buoys, etc

The High Contracting Parties further agree to establish within the territory of the United States of America and the territory of the Dominion of Canada such buoys and marks for the purposes of this Convention as may be recommended by the Commission hereinafter authorized to be established, and to refer such recommendations as the Commission may make as relate to the establishment of buoys or marks at points on the international boundary to the International Boundary Commission, United States-Alaska and Canada, for action pursuant to the provisions of the Treaty between the United States of America and His Majesty, in respect of Canada, respecting the boundary between the United States of America and the Dominion of Canada, signed February 24, 1925.

ARTICLE II

International Pacific
Salmon Fisheries
Commission
Establishment,
membership, etc.

The High Contracting Parties agree to establish and maintain a Commission to be known as the International Pacific Salmon Fisheries Commission, hereinafter called the Commission, consisting of six members, three on the part of the United States of America and three on the part of the Dominion of Canada.

Commissioners.

The Commissioners on the part of the United States of America shall be appointed by the President of the United States of America. The Commissioners on the part of the Dominion of Canada shall be appointed by His Majesty on the recommendation of the Governor General in Council.

The Commissioners appointed by each of the High Contracting Parties shall hold office during the pleasure of the High Contracting Party by which they were appointed.

Duration, etc., of Commission.

The Commission shall continue in existence so long as this Convention shall continue in force, and each High Contracting Party shall have power to fill and shall fill from time to time vacancies which may occur in its representation on the Commission in the same manner as the original appointments are made. Each High Contracting Party shall pay the salaries and expenses of its own Commissioners, and joint expenses incurred by the Commission shall be paid by the two High Contracting Parties in equal moieties.

ARTICLE III

The Commission shall make a thorough investigation into the natural history of the Fraser River sockeye salmon, into hatchery methods, spawning ground conditions and other related matters. It shall conduct the sockeye salmon fish cultural operations in the waters described in paragraphs numbered 2 and 3 of Article I of this Convention, and to that end it shall have power to improve spawning grounds, construct, and maintain hatcheries, rearing ponds and other such facilities as it may determine to be necessary for the propagation of sockeye salmon in any of the waters covered by this Convention, and to stock any such waters with sockeye salmon by such methods as it may determine to be most advisable. The Commission shall also have authority to recommend to the Governments of the High Contracting Parties removing or otherwise overcoming obstructions to the ascent of sockeye salmon, that may now exist or may from time to time occur, in any of the waters covered by this Convention, where investigation may show such removal of or other action to overcome obstructions to be desirable. The Commission shall make an annual report to the two Governments as to the investigations which it has made and other action which it has taken in execution of the provisions of this Article, or of other Articles of this Convention.

Fraser River sockeye salmon, investigation, etc.

Recommendation.

Annual report.

The cost of all work done pursuant to the provisions of this Article, or of other Articles of this Convention, including removing or otherwise overcoming obstructions that may be approved, shall be borne equally by the two Governments, and the said Governments agree to appropriate annually such money as each may deem desirable for such work in the light of the reports of the Commission.

Division of cost.

Annual appropriations.

ARTICLE IV

The Commission is hereby empowered to limit or prohibit taking sockeye salmon in respect of all or any of the waters described in Article I of this Convention, provided that when any order is adopted by the Commission limiting or prohibiting taking sockeye salmon in any of the territorial waters or on the High Seas described in paragraph numbered 1 of Article I, such order shall extend to all such territorial waters and High Seas, and, similarly, when in any of the waters of the United States of America embraced in paragraph numbered 2 of Article I, such order shall extend to all such waters of the United States of America, and when in any of the Canadian waters embraced in paragraphs numbered 2 and 3 of Article I, such order shall extend to all such Canadian waters, and provided further, that no order limiting or prohibiting taking sockeye salmon adopted by the Commission shall be construed to suspend or otherwise affect the requirements of the laws of the State of Washington or of the Dominion of Canada as to the procuring of a license to fish in the

Powers of Commission to limit, etc., take in waters designated.

License laws of Washington and Canada.

Ante, p. 1355

Application of order.

waters on their respective sides of the boundary, or in their respective territorial waters embraced in paragraph numbered 1 of Article I of this Convention, and provided further that any order adopted by the Commission limiting or prohibiting taking sockeye salmon on the High Seas embraced in paragraph numbered 1 of Article I of this Convention shall apply only to nationals and inhabitants and vessels and boats of the United States of America and the Dominion of Canada.

Duration.

Any order adopted by the Commission limiting or prohibiting taking sockeye salmon in the waters covered by this Convention, or any part thereof, shall remain in full force and effect unless and until the same be modified or set aside by the Commission. Taking sockeye salmon in said waters in violation of an order of the Commission shall be prohibited.

ARTICLE V

Fishing gear and
appliances

In order to secure a proper escapement of sockeye salmon during the spring or chinook salmon fishing season, the Commission may prescribe the size of the meshes in all fishing gear and appliances that may be operated during said season in the waters of the United States of America and/or the Canadian waters described in Article I of this Convention. At all seasons of the year the Commission may prescribe the size of the meshes in all salmon fishing gear and appliances that may be operated on the High Seas embraced in paragraph numbered 1 of Article I of this Convention, provided, however, that in so far as concerns the High Seas, requirements prescribed by the Commission under the authority of this paragraph shall apply only to nationals and inhabitants and vessels and boats of the United States of America and the Dominion of Canada.

Whenever, at any other time than the spring or chinook salmon fishing season, the taking of sockeye salmon in waters of the United States of America or in Canadian waters is not prohibited under an order adopted by the Commission, any fishing gear or appliance authorized by the State of Washington may be used in waters of the United States of America by any person thereunto authorized by the State of Washington, and any fishing gear or appliance authorized by the laws of the Dominion of Canada may be used in Canadian waters by any person thereunto duly authorized. Whenever the taking of sockeye salmon on the High Seas embraced in paragraph numbered 1 of Article I of this Convention is not prohibited, under an order adopted by the Commission, to the nationals or inhabitants or vessels or boats of the United States of America or the Dominion of Canada, only such salmon fishing gear and appliances as may have been approved by the Commission may be used on such High Seas by said nationals, inhabitants, vessels or boats.

ARTICLE VI

Necessary vote for
action.

No action taken by the Commission under the authority of this Convention shall be effective unless it is affirmatively voted for by at least two of the Commissioners of each High Contracting Party.

ARTICLE VII

Equal shares agreed
to.

Inasmuch as the purpose of this Convention is to establish for the High Contracting Parties, by their joint effort and expense, a fishery that is now largely nonexistent, it is agreed by the High Contracting Parties that they should share equally in the fishery. The Commission shall, consequently, regulate the fishery with a view to allowing,

as nearly as may be practicable, an equal portion of the fish that may be caught each year to be taken by the fishermen of each High Contracting Party.

ARTICLE VIII

Each High Contracting Party shall be responsible for the enforcement of the orders and regulations adopted by the Commission under the authority of this Convention, in the portion of its waters covered by the Convention.

Enforcement of orders, etc., in Convention waters.

Except as hereinafter provided in Article IX of this Convention, each High Contracting Party shall be responsible, in respect of its own nationals and inhabitants and vessels and boats, for the enforcement of the orders and regulations adopted by the Commission, under the authority of this Convention, on the High Seas embraced in paragraph numbered 1 of Article I of the Convention.

On the High Seas.

Each High Contracting Party shall acquire and place at the disposition of the Commission any land within its territory required for the construction and maintenance of hatcheries, rearing ponds, and other such facilities as set forth in Article III.

Sites for hatcheries, etc.

ARTICLE IX

Every national or inhabitant, vessel or boat of the United States of America or of the Dominion of Canada, that engages in sockeye salmon fishing on the High Seas embraced in paragraph numbered 1 of Article I of this Convention, in violation of an order or regulation adopted by the Commission, under the authority of this Convention, may be seized and detained by the duly authorized officers of either High Contracting Party, and when so seized and detained shall be delivered by the said officers, as soon as practicable, to an authorized official of the country to which such person, vessel or boat belongs, at the nearest point to the place of seizure, or elsewhere, as may be agreed upon with the competent authorities. The authorities of the country to which a person, vessel or boat belongs alone shall have jurisdiction to conduct prosecutions for the violation of any order or regulation, adopted by the Commission in respect of fishing for sockeye salmon on the High Seas embraced in paragraph numbered 1 of Article I of this Convention, or of any law or regulation which either High Contracting Party may have made to carry such order or regulation of the Commission into effect, and to impose penalties for such violations; and the witnesses and proofs necessary for such prosecutions, so far as such witnesses or proofs are under the control of the other High Contracting Party, shall be furnished with all reasonable promptitude to the authorities having jurisdiction to conduct the prosecutions.

Penalty provisions.

ARTICLE X

The High Contracting Parties agree to enact and enforce such legislation as may be necessary to make effective the provisions of this Convention and the orders and regulations adopted by the Commission under the authority thereof, with appropriate penalties for violations.

Enactment, etc., of necessary legislation.

ARTICLE XI

The present Convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by His Majesty in accordance with constitutional practice, and it shall become effective upon the date of the exchange of ratifications which shall take place at Washington as

Ratification.

Effective date.

Duration.

soon as possible and shall continue in force for a period of sixteen years, and thereafter until one year from the day on which either of the High Contracting Parties shall give notice to the other of its desire to terminate it.

Signatures.

In witness whereof, the respective plenipotentiaries have signed the present Convention, and have affixed their seals thereto.

Done in duplicate at Washington on the twenty-sixth day of May, one thousand nine hundred and thirty.

[SEAL]
[SEAL]

HENRY L STIMSON
VINCENT MASSEY

Ratifications exchanged

AND WHEREAS the said Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Washington on the twenty-eighth day of July, one thousand nine hundred and thirty-seven;

Understandings by United States of America.

AND WHEREAS the said Convention was ratified by the United States of America subject to three understandings, made a part of the ratification, as follows:

(1) That the International Pacific Salmon Fisheries Commission shall have no power to authorize any type of fishing gear contrary to the laws of the State of Washington or the Dominion of Canada;

(2) That the Commission shall not promulgate or enforce regulations until the scientific investigations provided for in the convention have been made, covering two cycles of Sockeye Salmon runs, or eight years; and

(3) That the Commission shall set up an Advisory Committee composed of five persons from each country who shall be representatives of the various branches of the industry (purse seine, gill net, troll, sport fishing, and one other), which Advisory Committee shall be invited to all non-executive meetings of the Commission and shall be given full opportunity to examine and to be heard on all proposed orders, regulations or recommendations.

Acceptance by Canada.

AND WHEREAS the aforesaid three understandings have been accepted by the Government of Canada, as is recorded in the Protocol of Exchange of ratifications of the said Convention;

Post, p. 1361.

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof, subject to the three understandings herein recited.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this fourth day of August in the year of our Lord one thousand nine hundred and thirty-

[SEAL] seven, and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

PROTOCOL OF EXCHANGE

The undersigned the Secretary of State of the United States of America and the Canadian Minister at Washington met this day for the purpose of exchanging ratifications of the convention between the United States of America and Canada for the protection, preservation and extension of the sockeye salmon fisheries of the Fraser River System, signed at Washington on May 26, 1930.

Protocol of ex-
change.

The Secretary of State of the United States of America stated that the convention is ratified on the part of the United States of America subject to the three understandings contained in the resolution of the Senate of the United States of America advising and consenting to ratification, a copy of which resolution was communicated to the Secretary of State for External Affairs of Canada by the Minister of the United States of America at Ottawa in his note of July 7, 1936. These three understandings are as follows:

(1) That the International Pacific Salmon Fisheries Commission shall have no power to authorize any type of fishing gear contrary to the laws of the State of Washington or the Dominion of Canada;

(2) That the Commission shall not promulgate or enforce regulations until the scientific investigations provided for in the convention have been made, covering two cycles of Sockeye Salmon runs, or eight years; and

(3) That the Commission shall set up an Advisory Committee composed of five persons from each country who shall be representatives of the various branches of the industry (purse seine, gill net, troll, sport fishing, and one other), which Advisory Committee shall be invited to all non-executive meetings of the Commission and shall be given full opportunity to examine and to be heard on all proposed orders, regulations or recommendations.

The Canadian Minister stated that he was authorized by his Government to state that it accepted the foregoing understandings.

The exchange then took place in the usual manner.

IN WITNESS WHEREOF they have signed the present protocol and have affixed their seals hereto.

Done at Washington this twenty-eighth day of July, 1937.

CORDELL HULL [SEAL]

Secretary of State

of the United States of America

HERBERT M. MARLER. [SEAL]

Canadian Minister

Treaty between the United States of America and other powers for the limitation of naval armament, together with protocol of signature and additional protocol. Signed at London, March 25, 1936; ratification advised by the Senate, May 18, 1936; ratified by the President of the United States, May 28, 1936; instruments of ratification deposited at London by the United States of America, July 2, 1936; the Republic of France, June 24, 1937; the United Kingdom of Great Britain and Northern Ireland, July 29, 1937; the Dominion of Canada, July 29, 1937; the Commonwealth of Australia, July 29, 1937; the Dominion of New Zealand, July 29, 1937; and India, July 29, 1937; proclaimed, August 6, 1937.

March 25, 1936
[T. S. No. 919]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

WHEREAS a Treaty for the limitation of naval armament and the exchange of information concerning naval construction, between the President of the United States of America, the President of the French Republic, and His Majesty the King of Great Britain, Ireland and the British Dominions beyond the seas, Emperor of India, for Great Britain and Northern Ireland and all parts of the British Empire which are not separate members of the League of Nations; for the Dominion of Canada; for the Commonwealth of Australia; for the Dominion of New Zealand; and for India; was signed by their respective Plenipotentiaries at London on March 25, 1936, together with a Protocol of Signature and an Additional Protocol, true copies of which Treaty, Protocol of Signature and Additional Protocol, in the French and English languages, are word for word as follows:

Treaty with other
Powers for limita-
tion, etc., of naval
armament
Preamble

Protocol of signa-
ture, etc.

Le Président des Etats-Unis d'Amérique, le Président de la République Française et Sa Majesté le Roi de Grande-Bretagne, d'Irlande et des Territoires Britanniques au-delà des Mers, Empereur des Indes,

Soucieux de réduire les charges et de prévenir les dangers inhérents à une rivalité d'armements navals,

Désireux, en raison de l'expiration prochaine du Traité pour la limitation des armements navals signé à Washington le 6 février 1922 et du Traité pour la limitation et la réduction des armements navals signé à Londres le 22 avril 1930 (sa partie IV exceptée), de prendre des dispositions pour la limitation des armements navals ainsi que pour l'échange de renseignements concernant les constructions navales,

Ont résolu de conclure un Traité à cet effet et ont désigné pour leurs Plénipotentiaires:

Le Président des Etats-Unis d'Amérique:

L'Honorable Norman H. Davis;

L'Amiral William H. Standley, Chef des opérations navales de la Marine des Etats-Unis;

Le Président de la République Française:

Son Excellence M. Charles Corbin, Ambassadeur Extraordinaire et Plénipotentiaire de la République Française auprès de la Cour de St. James;

Le Vice-Amiral Georges Robert, Membre du Conseil Supérieur de la Marine, Inspecteur général des Forces Maritimes de la Méditerranée;

Sa Majesté le Roi de Grande-Bretagne, d'Irlande et des Territoires Britanniques au-delà des Mers, Empereur des Indes:

pour la Grande-Bretagne et l'Irlande du Nord et toutes les parties de l'Empire Britannique qui ne sont pas individuellement Membres de la Société des Nations:

Le Très Honorable Anthony Eden, M. C., M. P., Son Principal Secrétaire d'Etat pour les Affaires Etrangères;

Le Très Honorable Vicomte Monsell, G. B. E., Premier Lord de Son Amirauté;

Le Lieutenant-Colonel Comte Stanhope, K. G., D. S. O., M. C., D. L., Sous Secrétaire d'Etat pour les Affaires Etrangères;

pour le Dominion du Canada:

L'Honorable Vincent Massey, Haut-Commissaire du Dominion du Canada à Londres;

pour le Commonwealth d'Australie:

Le Très Honorable Stanley Melbourne Bruce, C. H., M. C., Haut-Commissaire du Commonwealth d'Australie à Londres;

pour le Dominion de la Nouvelle-Zélande:

L'Honorable Sir Christopher James Parr, G. C. M. G., Haut-Commissaire du Dominion de la Nouvelle-Zélande à Londres;

pour l'Inde:

M. Richard Austen Butler, M. P., Sous-Secrétaire d'Etat parlementaire pour l'Inde;

The President of the United States of America, the President of the French Republic and His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India;

Contracting Powers

Desiring to reduce the burdens and prevent the dangers inherent in competition in naval armament;

Desiring, in view of the forthcoming expiration of the Treaty for the Limitation of Naval Armament signed at Washington on the 6th February, 1922, and of the Treaty for the Limitation and Reduction of Naval Armament signed in London on the 22nd April, 1930 (save for Part IV thereof), to make provision for the limitation of naval armament, and for the exchange of information concerning naval construction;

43 Stat. 1655.

46 Stat. 2858.

Have resolved to conclude a Treaty for these purposes and have appointed as their Plenipotentiaries:—

Plenipotentiaries.

The President of the United States of America:

The Honourable Norman H. Davis;

Admiral William H. Standley, United States Navy, Chief of Naval Operations;

The President of the French Republic:

His Excellency Monsieur Charles Corbin, Ambassador Extraordinary and Plenipotentiary of the French Republic at the Court of St. James;

Vice-Admiral Georges Robert, Member of the Supreme Naval Council, Inspector-General of the Naval Forces in the Mediterranean;

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

for Great Britain and Northern Ireland and all parts of the British Empire which are not separate Members of the League of Nations:

The Right Honourable Anthony Eden, M. C., M. P.,

His Principal Secretary of State for Foreign Affairs;

The Right Honourable Viscount Monsell, G. B. E., First Lord of His Admiralty;

Lieutenant-Colonel the Earl Stanhope, K. G., D. S. O., M. C., D. L., Parliamentary Under Secretary of State for Foreign Affairs;

for the Dominion of Canada:

The Honourable Vincent Massey, High Commissioner for the Dominion of Canada in London;

for the Commonwealth of Australia:

The Right Honourable Stanley Melbourne Bruce, C. H., M. C., High Commissioner for the Commonwealth of Australia in London;

for the Dominion of New Zealand:

The Honourable Sir Christopher James Parr, G. C. M. G., High Commissioner for the Dominion of New Zealand in London;

for India:

Richard Austen Butler, Esquire, M. P., Parliamentary Under Secretary of State for India.

Lesquels, après s'être communiqué leurs pleins pouvoirs, reconnus en bonne et due forme, sont convenus des dispositions suivantes:

Partie I

DEFINITIONS

Article Premier

Dans le présent Traité, les expressions suivantes doivent s'entendre respectivement avec le sens ci-après:

A.—Déplacement type.

1. Le déplacement type d'un bâtiment de surface est le déplacement du bâtiment achevé, avec son équipage complet, ses machines et chaudières, prêt à prendre la mer, ayant tout son armement et toutes ses munitions, ses installations, équipements, vivres, eau douce pour l'équipage, approvisionnements divers, outillages et rechanges de toute nature qu'il doit emporter en temps de guerre, mais sans combustible et sans eau de réserve pour l'alimentation des machines et chaudières.

2. Le déplacement type d'un sous-marin est le déplacement en surface du bâtiment achevé (non compris l'eau des compartiments non étanches), avec son équipage complet, son appareil moteur, prêt à prendre la mer, ayant tout son armement et toutes ses munitions, ses installations, équipements, vivres pour l'équipage, outillages divers et rechanges de toute nature qu'il doit emporter en temps de guerre, mais sans combustible, huile lubrifiante, eau douce ou eau de ballast de toute sorte.

3. Le mot "tonne," sauf dans l'expression "tonnes métriques," désigne une tonne de 1.016 kilogrammes (2.240 lbs.).

B.—Classes.

1. Les *bâtiments de ligne* sont des bâtiments de guerre de surface appartenant à l'une des deux sous-classes suivantes:

(a) bâtiments de guerre de surface, autres que les bâtiments porte-aéronefs, les bâtiments auxiliaires ou les bâtiments de ligne de la sous-classe (b), dont le déplacement type est supérieur à 10.000 tonnes (10,160 tonnes métriques) ou qui portent un canon d'un calibre supérieur à 203 millimètres (8 pouces);

(b) bâtiments de guerre de surface, autres que les bâtiments porte-aéronefs, dont le déplacement type n'est pas supérieur à 8.000 tonnes (8.128 tonnes métriques) et qui portent un canon d'un calibre supérieur à 203 millimètres (8 pouces).

2. Les *bâtiments porte-aéronefs* sont des bâtiments de guerre de surface qui, quel que soit leur déplacement, sont conçus ou aménagés principalement pour transporter et mettre en action des aéronefs en mer. Si un bâtiment de guerre n'a pas été conçu ou aménagé principalement pour transporter et mettre en action des aéronefs en mer, l'installation sur ce bâtiment d'un pont d'atterrissage ou d'envol n'aura pas pour effet de le faire entrer dans la classe des bâtiments porte-aéronefs.

Who, having communicated to one another their full powers, found in good and due form, have agreed as follows:

Part I

Part I.

DEFINITIONS

Article 1

For the purposes of the present Treaty, the following expressions are to be understood in the sense hereinafter defined.

Definitions.

A.—*Standard Displacement.*

(1) The standard displacement of a surface vessel is the displacement of the vessel, complete, fully manned, engined, and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions and fresh water for crew, miscellaneous stores and implements of every description that are intended to be carried in war, but without fuel or reserve feed water on board.

Standard displacement
Surface vessel.

(2) The standard displacement of a submarine is the surface displacement of the vessel complete (exclusive of the water in non-watertight structure), fully manned, engined and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions for crew, miscellaneous stores and implements of every description that are intended to be carried in war, but without fuel, lubricating oil, fresh water or ballast water of any kind on board.

Submarine.

(3) The word "ton" except in the expression "metric tons" denotes the ton of 2,240 lb. (1,016 kilos).

"Ton."

B.—*Categories.*

Categories.

(1) *Capital Ships* are surface vessels of war belonging to one of the two following sub-categories:—

Capital ships.

Sub-categories.

(a) surface vessels of war, other than aircraft carriers, auxiliary vessels, or capital ships of sub-category (b), the standard displacement of which exceeds 10,000 tons (10,160 metric tons) or which carry a gun with a calibre exceeding 8 in. (203 mm.);

(b) surface vessels of war, other than aircraft-carriers, the standard displacement of which does not exceed 8,000 tons (8,128 metric tons) and which carry a gun with a calibre exceeding 8 in. (203 mm.).

(2) *Aircraft-Carriers* are surface vessels of war, whatever their displacement, designed or adapted primarily for the purpose of carrying and operating aircraft at sea. The fitting of a landing-on or flying-off deck on any vessel of war, provided such vessel has not been designed or adapted primarily for the purpose of carrying and operating aircraft at sea, shall not cause any vessel so fitted to be classified in the category of aircraft-carriers.

Aircraft-carriers.

La classe des bâtiments porte-aéronefs se subdivise en deux sous-classes, à savoir:

(a) bâtiments pourvus d'un pont tel que les aéronefs puissent y prendre leur vol ou s'y poser;

(b) bâtiments non pourvus du pont décrit au paragraphe (a) ci-dessus.

3. Les *bâtiments légers de surface* sont des bâtiments de guerre de surface, autres que les bâtiments porte-aéronefs, les petits navires de combat ou les bâtiments auxiliaires, dont le déplacement type est supérieur à 100 tonnes (102 tonnes métriques), sans dépasser 10.000 tonnes (10.160 tonnes métriques), et qui ne portent pas de canon d'un calibre supérieur à 203 millimètres (8 pouces).

La classe des bâtiments légers de surface se subdivise en trois sous-classes, à savoir:

(a) bâtiments portant un canon d'un calibre supérieur à 155 millimètres (6,1 pouces);

(b) bâtiments qui ne portent pas de canon d'un calibre supérieur à 155 millimètres (6,1 pouces), et dont le déplacement type est supérieur à 3.000 tonnes (3 048 tonnes métriques);

(c) bâtiments qui ne portent pas de canon d'un calibre supérieur à 155 millimètres (6,1 pouces), et dont le déplacement type n'est pas supérieur à 3.000 tonnes (3.048 tonnes métriques).

4. Les *sous-marins* sont tous les bâtiments conçus pour naviguer au dessous de la surface de la mer.

5. Les *petits navires de combat* sont des bâtiments de guerre de surface, autres que les bâtiments auxiliaires, dont le déplacement type est supérieur à 100 tonnes (102 tonnes métriques), sans dépasser 2.000 tonnes (2.032 tonnes métriques), et qui n'ont aucune des caractéristiques suivantes:

(a) être armés d'un canon d'un calibre supérieur à 155 millimètres (6,1 pouces);

(b) être conçus ou équipés pour lancer des torpilles;

(c) être conçus pour atteindre une vitesse supérieure à vingt noeuds.

6. Les *bâtiments auxiliaires* sont des bâtiments de surface faisant partie de la flotte militaire, dont le déplacement type est supérieur à 100 tonnes (102 tonnes métriques), qui sont normalement utilisés pour le service de la flotte, ou comme transports de troupes, ou pour tout emploi autre que celui de bâtiments combattants, qui ne sont pas spécialement construits pour être des bâtiments combattants, et qui n'ont aucune des caractéristiques suivantes:

(a) être armés d'un canon d'un calibre supérieur à 155 millimètres (6,1 pouces);

(b) être armés de plus de huit canons d'un calibre supérieur à 76 millimètres (3 pouces);

(c) être conçus ou équipés pour lancer des torpilles;

(d) être conçus pour être protégés par des plaques de blindage;

(e) être conçus pour atteindre une vitesse supérieure à vingt-huit noeuds;

(f) être conçus ou aménagés principalement pour mettre en action des aéronefs en mer;

(g) être équipés de plus de deux appareils à lancer des aéronefs.

The category of aircraft-carriers is divided into two sub-categories as follows:—

Sub-categories

- (a) vessels fitted with a flight deck, from which aircraft can take off, or on which aircraft can land from the air;
- (b) vessels not fitted with a flight deck as described in (a) above.

(3) *Light Surface Vessels* are surface vessels of war other than aircraft-carriers, minor war vessels or auxiliary vessels, the standard displacement of which exceeds 100 tons (102 metric tons) and does not exceed 10,000 tons (10,160 metric tons), and which do not carry a gun with a calibre exceeding 8 in. (203 mm.).

Light surface vessels

The category of light surface vessels is divided into three sub-categories as follows:—

Sub-categories.

- (a) vessels which carry a gun with a calibre exceeding 6.1 in. (155 mm.);
- (b) vessels which do not carry a gun with a calibre exceeding 6.1 in. (155 mm.) and the standard displacement of which exceeds 3,000 tons (3,048 metric tons);
- (c) vessels which do not carry a gun with a calibre exceeding 6.1 in. (155 mm.) and the standard displacement of which does not exceed 3,000 tons (3,048 metric tons).

(4) *Submarines* are all vessels designed to operate below the surface of the sea.

Submarines.

(5) *Minor War Vessels* are surface vessels of war, other than auxiliary vessels, the standard displacement of which exceeds 100 tons (102 metric tons) and does not exceed 2,000 tons (2,032 metric tons), provided they have none of the following characteristics:—

Minor war vessels.

- (a) mount a gun with a calibre exceeding 6.1 in. (155 mm.)
- (b) are designed or fitted to launch torpedoes;
- (c) are designed for a speed greater than twenty knots.

(6) *Auxiliary Vessels* are naval surface vessels the standard displacement of which exceeds 100 tons (102 metric tons), which are normally employed on fleet duties or as troop transports, or in some other way than as fighting ships, and which are not specifically built as fighting ships, provided they have none of the following characteristics:—

Auxiliary vessels.

- (a) mount a gun with a calibre exceeding 6.1 in. (155 mm.);
- (b) mount more than eight guns with a calibre exceeding 3 in. (76 mm.);
- (c) are designed or fitted to launch torpedoes;
- (d) are designed for protection by armour plate;
- (e) are designed for a speed greater than twenty-eight knots;
- (f) are designed or adapted primarily for operating aircraft at sea;
- (g) mount more than two aircraft-launching apparatus.

7. Les *petits bâtiments* sont des bâtiments de surface faisant partie de la flotte militaire, dont le déplacement type n'est pas supérieur à 100 tonnes (102 tonnes métriques).

C.—*Bâtiments hors d'âge.*

Les bâtiments des classes et sous-classes suivantes seront considérés comme "hors d'âge" lorsque, depuis leur achèvement, se sera écoulé le nombre d'années indiqué ci-dessous:

- (a) pour un bâtiment de ligne 26 ans;
- (b) pour un bâtiment porte-aéronefs 20 ans;
- (c) pour un bâtiment léger de surface des sous-classes (a) et (b):
 - (i) s'il a été mis sur cale avant le 1^{er} janvier 1920 16 ans;
 - (ii) s'il a été mis sur cale après le 31 décembre 1919 20 ans;
- (d) pour un bâtiment léger de surface de la sous-classe (c) 16 ans;
- (e) pour un sous-marin 13 ans.

D.—*Mois.*

Dans le présent Traité, le mot "mois", lorsqu'il se réfère à une période de temps, doit être entendu comme correspondant à une durée de trente jours.

Partie II

LIMITATIONS

Article 2

A partir de la date d'entrée en vigueur du présent Traité, aucun bâtiment dépassant les limites de déplacement ou d'armement prévues à la présente Partie dudit Traité ne devra être acquis par une Haute Partie Contractante, ni construit par elle, ou pour son compte, ou dans le ressort de sa juridiction.

Article 3

Aucun bâtiment qui, à la date d'entrée en vigueur du présent Traité, portera des canons d'un calibre supérieur aux limites fixées à la présente Partie dudit Traité, ne sera, s'il est reconstruit ou modernisé, réarmé de canons d'un calibre supérieur à celui des canons qu'il portait précédemment.

Article 4

1. Aucun bâtiment de ligne n'aura un déplacement type supérieur à 35.000 tonnes (35.560 tonnes métriques).

2. Aucun bâtiment de ligne ne portera de canon d'un calibre supérieur à 356 millimètres (14 pouces); il est entendu toutefois que si l'une des Parties au Traité pour la limitation des armements navals signé à Washington le 6 février 1922, ne prenait pas, avant la date d'entrée en vigueur du présent Traité, et en tout cas au plus tard le

(7) *Small Craft* are naval surface vessels the standard displacement of which does not exceed 100 tons (102 metric tons).

Small craft.

C.—*Over Age*.

Vessels of the following categories and sub-categories shall be deemed to be "over-age" when the undermentioned number of years have elapsed since completion:—

"Over age".

- (a) Capital ships 26 years.
- (b) Aircraft-carriers 20 years.
- (c) Light surface vessels, sub-categories (a) and (b):
 - (i) if laid down before 1st January, 1920 .. 16 years.
 - (ii) if laid down after 31st December, 1919 .. 20 years.
- (d) Light surface vessels, sub-category (c) .. 16 years.
- (e) Submarines 13 years.

D.—*Month*.

The word "month" in the present Treaty with reference to a period of time denotes the month of thirty days.

"Month".

Part II

Part II.

LIMITATION

Article 2

After the date of the coming into force of the present Treaty, no vessel exceeding the limitations as to displacement or armament prescribed by this Part of the present Treaty shall be acquired by any High Contracting Party or constructed by, for or within the jurisdiction of any High Contracting Party.

Limitation.

Article 3

No vessel which at the date of the coming into force of the present Treaty carries guns with a calibre exceeding the limits prescribed by this Part of the present Treaty shall, if reconstructed or modernised, be rearmed with guns of a greater calibre than those previously carried by her.

Gun calibre restrictions.

Article 4

(1) No capital ship shall exceed 35,000 tons (35,560 metric tons) standard displacement.

Capital ships, displacement

(2) No capital ship shall carry a gun with a calibre exceeding 14 in. (356 mm.); provided however that if any of the Parties to the Treaty for the Limitation of Naval Armament signed at Washington on the 6th February, 1922, should fail to enter into an agreement to conform to this provision prior to the date of the coming into force

Gun calibre Provisions, if failing agreement
43 Stat. 1655.

1er avril 1937, l'engagement de se conformer à la présente disposition, le calibre maximum permis pour les canons des bâtiments de ligne sera de 406 millimètres (16 pouces).

3. Aucun bâtiment de ligne de la sous-classe (a) dont le déplacement type serait inférieur à 17.500 tonnes (17.780 tonnes métriques) ne sera mis sur cale ou acquis avant le 1er janvier 1943.

4. Aucun bâtiment de ligne dont l'armement principal consisterait en canons d'un calibre inférieur à 254 millimètres (10 pouces) ne sera mis sur cale ou acquis avant le 1er janvier 1943.

Article 5

1. Aucun bâtiment porte-aéronefs n'aura un déplacement type supérieur à 23.000 tonnes (23.368 tonnes métriques), ni ne portera de canon d'un calibre supérieur à 155 millimètres (6,1 pouces).

2. Si l'armement d'un bâtiment porte-aéronefs comprend des canons d'un calibre supérieur à 134 millimètres (5,25 pouces), le nombre total de canons dépassant ce calibre ne devra pas être supérieur à dix.

Article 6

1. Aucun bâtiment léger de surface de la sous-classe (b) dont le déplacement type dépasserait 8.000 tonnes (8 128 tonnes métriques), et aucun bâtiment léger de surface de la sous-classe (a) ne seront mis sur cale ou acquis avant le 1er janvier 1943.

2. Nonobstant les dispositions du paragraphe (1) ci-dessus, si une Haute Partie Contractante estime que les exigences de sa sécurité nationale sont matériellement affectées par le nombre de bâtiments légers de surface de la sous-classe (b) construits, en construction ou autorisés par une Puissance quelconque, ou par le fait qu'une telle Puissance construit des bâtiments légers de surface sans se conformer aux restrictions du paragraphe (1) ci-dessus, ladite Haute Partie Contractante aura, après avoir notifié ses intentions aux autres Hautes Parties Contractantes et leur en avoir exposé les motifs, le droit de mettre sur cale ou d'acquérir des bâtiments légers de surface des sous-classes (a) et (b) dont le déplacement type pourra atteindre 10.000 tonnes (10.160 tonnes métriques), pourvu qu'elle se conforme aux dispositions de la Partie III du présent Traité. Chacune des Hautes Parties Contractantes sera alors fondée à exercer le même droit.

3. Il est entendu qu'aucun engagement, explicite ou implicite, de maintenir postérieurement à l'année 1942 les restrictions prévues au paragraphe 1 ci-dessus, ne résulte dudit paragraphe 1.

Article 7

Aucun sous-marin n'aura un déplacement type supérieur à 2.000 tonnes (2.032 tonnes métriques), ni ne portera de canon d'un calibre supérieur à 130 millimètres (5,1 pouces).

of the present Treaty, but in any case not later than the 1st April, 1937, the maximum calibre of gun carried by capital ships shall be 16 in. (406 mm.).

(3) No capital ship of sub-category (a), the standard displacement of which is less than 17,500 tons (17,780 metric tons), shall be laid down or acquired prior to the 1st January, 1943.

Sub-category (a),
new construction

(4) No capital ship, the main armament of which consists of guns of less than 10 in. (254 mm.) calibre, shall be laid down or acquired prior to the 1st January, 1943.

Main armament of
guns less than 10 in.
calibre.

Article 5

(1) No aircraft carrier shall exceed 23,000 tons (23,368 metric tons) standard displacement or carry a gun with a calibre exceeding 6.1 in. (155 mm.).

Aircraft carriers,
gun calibre restriction.

(2) If the armament of any aircraft carrier includes guns exceeding 5.25 in. (134 mm.) in calibre, the total number of guns carried which exceed that calibre shall not be more than ten.

Number limited

Article 6

(1) No light surface vessel of sub-category (b) exceeding 8,000 tons (8,128 metric tons) standard displacement, and no light surface vessel of sub-category (a) shall be laid down or acquired prior to the 1st January, 1943.

Light surface ves-
sels of sub-category
(b), etc., construc-
tion

(2) Notwithstanding the provisions of paragraph (1) above, if the requirements of the national security of any High Contracting Party are, in His opinion, materially affected by the actual or authorised amount of construction by any Power of light surface vessels of sub-category (b), or of light surface vessels not conforming to the restrictions of paragraph (1) above, such High Contracting Party shall, upon notifying the other High Contracting Parties of His intentions and the reasons therefor, have the right to lay down or acquire light surface vessels of sub-categories (a) and (b) of any standard displacement up to 10,000 tons (10,610 metric tons) subject to the observance of the provisions of Part III of the present Treaty. Each of the other High Contracting Parties shall thereupon be entitled to exercise the same right.

Modifications

(3) It is understood that the provisions of paragraph (1) above constitute no undertaking expressed or implied to continue the restrictions therein prescribed after the year 1942.

Time provision.

Article 7

No submarine shall exceed 2,000 tons (2,032 metric tons) standard displacement or carry a gun exceeding 5.1 in. (130 mm.) in calibre.

Submarine gun cal-
ibre

Article 8

Tout bâtiment sera compté pour son déplacement type tel qu'il est défini en paragraphe A de l'article premier du présent Traité.

Article 9

Il ne sera fait, en temps de paix, aucune installation préparatoire sur les navires de commerce, en vue de les armer pour les transformer en bâtiments de guerre; toutefois il sera permis de renforcer les ponts pour y monter des canons d'un calibre ne dépassant pas 155 millimètres (6,1 pouces).

Article 10

Conserveront leur classe ou leur désignation précédente, les bâtiments mis sur cale avant la date d'entrée en vigueur du présent Traité, dont le déplacement type ou l'armement dépasserait les limitations ou restrictions prévues, pour leur classe ou leur sous-classe, à la présente partie dudit Traité, ainsi que les bâtiments qui, avant cette date, et conformément aux dispositions des traités antérieurs, ont été transformés pour l'usage exclusif de cible, ou conservés pour servir exclusivement à des expériences ou à l'instruction.

Partie III**PREAVIS ET ECHANGES DE RENSEIGNEMENTS***Article 11*

1. Chacune des Hautes Parties Contractantes communiquera chaque année aux autres Hautes Parties Contractantes, ainsi qu'il est prévu ci-après, des renseignements concernant son programme annuel de construction et d'acquisition de tous bâtiments des classes et sous-classes mentionnées au paragraphe (a) de l'article 12, que ceux-ci soient ou non construits dans le ressort de sa juridiction; elle leur communiquera également, de manière périodique, des renseignements détaillés relatifs auxdits bâtiments ainsi qu'à toutes les modifications qui seraient apportées à des bâtiments déjà achevés desdites classes ou sous-classes.

2. Aux fins de la présente partie et des parties suivantes du Traité, tout renseignement sera considéré comme étant parvenu à une Haute Partie Contractante à la date à laquelle en auront reçu communication ses représentants diplomatiques accrédités auprès de la Haute Partie Contractante qui fournit les renseignements.

3. Ces renseignements devront conserver un caractère confidentiel jusqu'à leur publication par la Haute Partie Contractante qui les a fournis.

Article 8

Every vessel shall be rated at its standard displacement, as defined in Article 1A of the present Treaty.

Standard displacement rating
Ante, p. 1367.

Article 9

No preparations shall be made in merchant ships in time of peace for the installation of warlike armaments for the purpose of converting such ships into vessels of war, other than the necessary stiffening of decks for the mounting of guns not exceeding 6.1 in. (155 mm.) in calibre.

Preparing merchantmen for armament in peace-time.

Article 10

Vessels which were laid down before the date of the coming into force of the present Treaty, the standard displacement or armament of which exceeds the limitations or restrictions prescribed in this Part of the present Treaty for their category or sub-category, or vessels which before that date were converted to target use exclusively or retained exclusively for experimental or training purposes under the provisions of previous treaties, shall retain the category or designation which applied to them before the said date.

New construction, effective date, exceeding limitations

Conversions for target use.

Part III

Part III.

ADVANCE NOTIFICATION AND EXCHANGE OF INFORMATION

Advance notification and exchange of information

Article 11

(1) Each of the High Contracting Parties shall communicate every year to each of the other High Contracting Parties information, as hereinafter provided, regarding His annual programme for the construction and acquisition of all vessels of the categories and sub-categories mentioned in Article 12 (*a*), whether or not the vessels concerned are constructed within His own jurisdiction, and periodical information giving details of such vessels and of any alterations to vessels of the said categories or sub-categories already completed.

Annual programs
Communication to other Parties

(2) For the purposes of this and the succeeding Parts of the present Treaty, information shall be deemed to have reached a High Contracting Party on the date upon which such information is communicated to His Diplomatic Representatives accredited to the High Contracting Party by whom the information is given.

Date of reception.

(3) This information shall be treated as confidential until published by the High Contracting Party supplying it.

Confidential treatment.

Article 12

Les renseignements à fournir en vertu de l'article précédent, au sujet de bâtiments construits par une Haute Partie Contractante ou pour son compte, seront donnés comme suit, à temps pour parvenir à toutes les autres Hautes Parties Contractantes dans les délais ou au moment prescrits:

(a) Dans les quatre premiers mois de chaque année civile, le programme annuel de construction de tous bâtiments des classes et sous-classes ci-après, en indiquant le nombre de bâtiments de chaque classe ou sous-classe, et, pour chaque bâtiment, le calibre du plus gros canon. Les classes et sous-classes en question sont les suivantes:

Bâtiments de ligne:

sous-classe (a)

sous-classe (b)

Bâtiments porte-aéronefs:

sous-classe (a)

sous-classe (b)

Bâtiments légers de surface:

sous-classe (a)

sous-classe (b)

sous-classe (c)

Sous-marins.

(b) Au moins quatre mois avant la date de la mise sur cale, les renseignements suivants au sujet de chacun de ces bâtiments:

Nom ou appellation.

Classe et sous-classe.

Déplacement type en tonnes et en tonnes métriques.

Longueur à la ligne de flottaison correspondant au déplacement type.

Largeur maxima à ou sous la ligne de flottaison correspondant au déplacement type.

Tirant d'eau moyen correspondant au déplacement type.

Puissance en chevaux prévue.

Vitesse prévue.

Type des machines.

Type du combustible.

Nombre et calibre de tous les canons d'un calibre égal ou supérieur à 76 millimètres (3 pouces).

Nombre approximatif des canons d'un calibre inférieur à 76 millimètres (3 pouces).

Nombre de tubes lance-torpilles.

Le navire est-il conçu pour la pose de mines?

Nombre approximatif des aéronefs pour lesquels des installations sont prévues.

(c) Dès que possible après la mise sur cale de chacun de ces bâtiments, la date à laquelle celle-ci a eu lieu.

(d) Dans le mois qui suit la date d'achèvement de chacun de ces bâtiments, la date de cet achèvement, ainsi que toutes les caractéristiques indiquées au paragraphe (b) ci-dessus, relatives au bâtiment au moment de son achèvement.

Article 12

The information to be furnished under the preceding Article in respect of vessels constructed by or for a High Contracting Party shall be given as follows; and so as to reach all the other High Contracting Parties within the periods or at the times mentioned:—

Furnishing information, procedure

(a) Within the first four months of each calendar year, the Annual Programme of construction of all vessels of the following categories and sub-categories, stating the number of vessels of each category or sub-category and, for each vessel, the calibre of the largest gun. The categories and sub-categories in question are:—

Programs of vessel construction.

Capital Ships—

sub-category (a)

sub-category (b)

Aircraft-Carriers—

sub-category (a)

sub-category (b)

Light Surface Vessels—

sub-category (a)

sub-category (b)

sub-category (c)

Submarines.

(b) Not less than four months before the date of the laying of the keel, the following particulars in respect of each such vessel:—

Name or designation;

Category and sub-category;

Standard displacement in tons and metric tons;

Length at waterline at standard displacement;

Extreme beam at or below waterline at standard displacement;

Mean draught at standard displacement;

Designed horse-power;

Designed speed;

Type of machinery;

Type of fuel;

Number and calibre of all guns of 3 in. (76 mm.) calibre and above;

Approximate number of guns of less than 3 in. (76 mm.) calibre;

Number of torpedo tubes;

Whether designed to lay mines;

Approximate number of aircraft for which provision is to be made.

(c) As soon as possible after the laying-down of the keel of each such vessel, the date on which it was laid.

Date on which keel laid

(d) Within one month after the date of completion of each such vessel, the date of completion together with all the particulars specified in paragraph (b) above relating to the vessel on completion.

Completion.

(e) Chaque année, au cours du mois de janvier, pour les bâtiments entrant dans les classes et sous-classes mentionnées au paragraphe (a) ci-dessus:

(i) des renseignements sur toutes modifications importantes qu'il serait devenu nécessaire d'apporter, au cours de l'année précédente, aux bâtiments en construction, pour autant que ces modifications affectent les caractéristiques mentionnées au paragraphe (b) ci-dessus;

(ii) des renseignements sur toutes modifications importantes apportées, au cours de l'année précédente, à des bâtiments déjà achevés, pour autant qu'elles affectent les caractéristiques mentionnées au paragraphe (b) ci-dessus;

(iii) des renseignements concernant les bâtiments qui auraient été détruits ou déclassés de quelque autre façon au cours de l'année précédente. Si ces bâtiments n'ont pas été détruits, il sera donné des renseignements suffisants pour permettre de déterminer leur nouvelle situation ou leur nouvel état.

(f) Au moins quatre mois avant d'entreprendre des modifications de nature à faire entrer un bâtiment déjà achevé dans une des classes ou sous-classes mentionnées au paragraphe (a) ci-dessus, ou à faire passer un tel bâtiment de l'une dans l'autre de ces classes ou sous-classes: les renseignements sur ses caractéristiques projetées, comme indiqué au paragraphe (b) ci-dessus.

Article 13

Aucun bâtiment entrant dans les classes ou sous-classes mentionnées au paragraphe (a) de l'article 12 ne sera mis sur cale par une Haute Partie Contractante avant l'expiration d'un délai de quatre mois à compter de la date à laquelle seront parvenus à toutes les autres Hautes Parties Contractantes, tant le programme annuel dans lequel le bâtiment est compris, que les caractéristiques relatives à ce bâtiment mentionnées au paragraphe (b) de l'article 12.

Article 14

Si une Haute Partie Contractante a l'intention d'acquérir un bâtiment totalement ou partiellement achevé, entrant dans les classes ou sous-classes mentionnées au paragraphe (a) de l'article 12, ce bâtiment devra être déclaré en même temps et de la même façon que les bâtiments inclus dans le programme annuel prescrit par ledit paragraphe. Un tel bâtiment ne pourra pas être acquis avant l'expiration d'un délai de quatre mois à compter de la date à laquelle ladite déclaration sera parvenue à toutes les autres Hautes Parties Contractantes. Les caractéristiques indiquées au paragraphe (b) de l'article 12 seront fournies pour ce bâtiment, en même temps que la date de sa mise sur cale, à temps pour parvenir à toutes les autres Hautes Parties Contractantes dans le délai d'un mois à compter de la date de la signature du contrat d'achat du bâtiment. Les caractéristiques qui font l'objet des paragraphes (d), (e) et (f) de l'article 12 seront fournies ainsi qu'il est prévu auxdits paragraphes.

(e) Annually during the month of January, in respect of vessels belonging to the categories and sub-categories mentioned in paragraph (a) above:

Annual statement of alterations, scrapping, etc.

(i) Information as to any important alterations which it may have proved necessary to make during the preceding year in vessels under construction, in so far as these alterations affect the particulars mentioned in paragraph (b) above.

(ii) Information as to any important alterations made during the preceding year in vessels previously completed, in so far as these alterations affect the particulars mentioned in paragraph (b) above.

(iii) Information concerning vessels which may have been scrapped or otherwise disposed of during the preceding year. If such vessels are not scrapped, sufficient information shall be given to enable their new status and condition to be determined.

(f) Not less than four months before undertaking such alterations as would cause a completed vessel to come within one of the categories or sub-categories mentioned in paragraph (a) above, or such alterations as would cause a vessel to change from one to another of the said categories or sub-categories: information as to her intended characteristics as specified in paragraph (b) above.

Advance notice of contemplated alterations, etc.

Article 13

No vessel coming within the categories or sub-categories mentioned in Article 12 (a) shall be laid down by any High Contracting Party until after the expiration of a period of four months both from the date on which the Annual Programme in which the vessel is included, and from the date on which the particulars in respect of that vessel prescribed by Article 12 (b), have reached all the other High Contracting Parties.

Advance notice of vessel construction.

Article 14

If a High Contracting Party intends to acquire a completed or partially completed vessel coming within the categories or sub-categories mentioned in Article 12 (a), that vessel shall be declared at the same time and in the same manner as the vessels included in the Annual Programme prescribed in the said Article. No such vessel shall be acquired until after the expiration of a period of four months from the date on which such declaration has reached all the other High Contracting Parties. The particulars mentioned in Article 12 (b), together with the date on which the keel was laid, shall be furnished in respect of such vessel so as to reach all the other High Contracting Parties within one month after the date on which the contract for the acquisition of the vessel was signed. The particulars mentioned in Article 12 (d), (e) and (f) shall be given as therein prescribed.

Acquisition of completed, etc., vessel.

Communication of particulars to other Powers.

Article 15

Au moment où elle communiquera le programme annuel prévu au paragraphe (a) de l'article 12, chacune des Hautes Parties Contractantes fera connaître à toutes les autres Hautes Parties Contractantes quels sont les bâtiments, compris dans ses déclarations et ses programmes annuels précédents, qui n'ont pas encore été mis sur cale ou acquis par elle, mais qu'elle a l'intention de mettre sur cale ou d'acquérir pendant la période couverte par ledit programme.

Article 16

Si, avant la mise sur cale d'un bâtiment entrant dans les classes ou sous-classes mentionnées au paragraphe (a) de l'article 12, une modification importante est apportée aux caractéristiques déjà communiquées en application du paragraphe (b) du même article, les renseignements concernant cette modification devront être communiqués; la mise sur cale sera retardée jusqu'à l'expiration d'un délai d'au moins quatre mois à compter de la date à laquelle ces renseignements seront parvenus à toutes les Hautes Parties Contractantes.

Article 17

Aucune Haute Partie Contractante ne pourra mettre sur cale ou acquérir de bâtiment des classes ou sous-classes mentionnées au paragraphe (a) de l'article 12, si ce bâtiment n'a pas été antérieurement compris dans son programme annuel de construction ou dans sa déclaration d'acquisition pour l'année en cours, ou dans l'un de ses programmes ou déclarations antérieurs.

Article 18

Au cas où, dans le ressort de la juridiction de l'une des Hautes Parties Contractantes, serait entreprise la construction, reconstruction ou modernisation d'un bâtiment entrant dans les classes ou sous-classes mentionnées au paragraphe (a) de l'article 12, pour le compte d'une Puissance non partie au présent Traité, la Haute Partie Contractante intéressée portera sans délai à la connaissance de toutes les autres Hautes Parties Contractantes la date de la signature du contrat et, aussitôt que possible, tous les renseignements relatifs audit bâtiment indiqués aux paragraphes (b), (c) et (d) de l'article 12.

Article 19

Chacune des Hautes Parties Contractantes communiquera, à temps pour qu'elles parviennent à toutes les autres Hautes Parties Contractantes dans le mois qui suivra la date d'entrée en vigueur du présent Traité, des listes de tous ses petits navires de combat et bâtiments auxiliaires, comportant les caractéristiques énoncées au

Article 15

At the time of communicating the Annual Programme prescribed by Article 12 (a), each High Contracting Party shall inform all the other High Contracting Parties of all vessels included in His previous Annual Programmes and declarations that have not yet been laid down or acquired, but which it is the intention to lay down or acquire during the period covered by the first mentioned Annual Programme.

Annual program to include previous declaration
Ante, p 1377.

Article 16

If, before the keel of any vessel coming within the categories or sub-categories mentioned in Article 12 (a) is laid, any important modification is made in the particulars regarding her which have been communicated under Article 12 (b), information concerning this modification shall be given, and the laying of the keel shall be deferred until at least four months after this information has reached all the other High Contracting Parties.

Modifications, notice to be given before keel laid.

Article 17

No High Contracting Party shall lay down or acquire any vessel of the categories or sub-categories mentioned in Article 12 (a), which has not previously been included in His Annual Programme of construction or declaration of acquisition for the current year or in any earlier Annual Programme or declaration.

Construction or acquisition forbidden if not included in annual program

Article 18

If the construction, modernisation or reconstruction of any vessel coming within the categories or sub-categories mentioned in Article 12 (a), which is for the order of a Power not a party to the present Treaty, is undertaken within the jurisdiction of any High Contracting Party, He shall promptly inform all the other High Contracting Parties of the date of the signing of the contract and shall also give as soon as possible in respect of the vessel all the information mentioned in Article 12 (b), (c) and (d).

Construction, etc., of vessel for non-signatory Power

Ante, p 1377

Article 19

Each High Contracting Party shall give lists of all His minor war vessels and auxiliary vessels with their characteristics, as enumerated in Article 12 (b), and information as to the particular service for which they are intended, so as to reach all the other High Contracting Parties within one month after the date of the coming into force of

Minor, etc., vessels, lists to be furnished

paragraphe (b) de l'article 12, et l'indication de l'emploi particulier auquel ils sont destinés; par la suite, elle communiquera, à temps pour qu'elles parviennent à la connaissance de toutes les autres Hautes Parties Contractantes dans le courant du mois de janvier de chaque année, toutes modifications qu'il conviendrait d'apporter à ces listes ainsi qu'aux indications susvisées.

Article 20

Chacune des Hautes Parties Contractantes communiquera aux autres Hautes Parties Contractantes, à temps pour qu'elles leur parviennent dans le mois qui suivra la date d'entrée en vigueur du présent Traité, les caractéristiques indiquées au paragraphe (b) de l'article 12, de tous bâtiments des classes et sous-classes mentionnées au paragraphe (a) du même article, qui seraient à ce moment en construction pour son compte, que ces bâtiments soient ou non construits dans le ressort de sa juridiction, ainsi que les mêmes caractéristiques concernant de tels bâtiments en construction à ce moment, dans le ressort de sa juridiction, pour le compte d'une Puissance non partie au présent Traité.

Article 21

1. Au moment où elle communiquera son premier programme annuel de construction et sa première déclaration d'acquisition, chacune des Hautes Parties Contractantes fera connaître aux autres Hautes Parties Contractantes tous les bâtiments appartenant aux classes et sous-classes mentionnées au paragraphe (a) de l'article 12, qui ont été précédemment autorisés et qu'elle a l'intention de mettre sur cale ou d'acquérir pendant la période couverte par ledit programme.

2. Aucune disposition de la présente partie du présent Traité n'empêchera une Haute Partie Contractante de mettre sur cale ou d'acquérir à tout moment, dans les quatre mois qui suivront la date d'entrée en vigueur du Traité, tout bâtiment compris ou à comprendre dans son premier programme annuel de construction ou dans sa première déclaration d'acquisition, ou précédemment autorisé, à condition que les renseignements prescrits au paragraphe (b) de l'article 12 soient, pour chaque bâtiment, fournis à temps pour parvenir à toutes les autres Hautes Parties Contractantes dans le mois qui suivra la date d'entrée en vigueur du présent Traité.

3. Au cas où le présent Traité n'entrerait pas en vigueur avant le 1er mai 1937, le premier programme annuel de construction et la première déclaration d'acquisition à communiquer en vertu du paragraphe (a) de l'article 12 ou de l'article 14, devront parvenir aux autres Hautes Parties Contractantes dans le mois qui suivra l'entrée en vigueur du présent Traité.

the present Treaty; and, so as to reach all the other High Contracting Parties within the month of January in each subsequent year, any amendments in the lists and changes in the information.

Article 20

Each of the High Contracting Parties shall communicate to each of the other High Contracting Parties, so as to reach the latter within one month after the date of the coming into force of the present Treaty, particulars, as mentioned in Article 12 (b), of all vessels of the categories or sub-categories mentioned in Article 12 (a), which are then under construction for Him, whether or not such vessels are being constructed within His own jurisdiction, together with similar particulars relating to any such vessels then under construction within His own jurisdiction for a Power not a party to the present Treaty.

Lists of vessels under construction, etc.

Article 21

(1) At the time of communicating His initial Annual Programme of construction and declaration of acquisition, each High Contracting Party shall inform each of the other High Contracting Parties of any vessels of the categories or sub-categories mentioned in Article 12 (a), which have been previously authorised and which it is the intention to lay down or acquire during the period covered by the said Programme.

Previously authorized, etc., construction to be included in initial annual program.

(2) Nothing in this Part of the present Treaty shall prevent any High Contracting Party from laying down or acquiring, at any time during the four months following the date of the coming into force of the Treaty, any vessel included, or to be included, in His initial Annual Programme of construction or declaration of acquisition, or previously authorised, provided that the information prescribed by Article 12 (b) concerning each vessel shall be communicated so as to reach all the other High Contracting Parties within one month after the date of the coming into force of the present Treaty.

Communication of information to contracting Powers; time period.

(3) If the present Treaty should not come into force before the 1st May, 1937, the initial Annual Programme of construction and declaration of acquisition, to be communicated under Articles 12 (a) and 14 shall reach all the other High Contracting Parties within one month after the date of the coming into force of the present Treaty.

Provision, should Treaty not come into force before May 1, 1937.

Partie IV**DISPOSITIONS GENERALES ET CLAUSES DE SAUVEGARDE***Article 22*

Aucune Haute Partie Contractante ne disposera à titre gratuit, à titre onéreux, ou autrement, de ses bâtiments de guerre de surface ou de ses sous-marins, dans des conditions permettant à une Marine étrangère de les employer comme tels. La présente disposition ne s'applique pas aux bâtiments auxiliaires.

Article 23

1. Aucune disposition du présent Traité ne portera atteinte au droit qu'a chacune des Hautes Parties Contractantes, en cas de perte ou de destruction accidentelle, de remplacer un bâtiment qui ne serait pas encore hors d'âge, par un bâtiment de la même classe ou sous-classe, aussitôt que les caractéristiques du nouveau bâtiment, comme prévu au paragraphe (b) de l'article 12, seront parvenues à toutes les autres Hautes Parties Contractantes.

2. Les dispositions du paragraphe précédent s'appliqueront également au remplacement immédiat, dans les mêmes circonstances, d'un bâtiment léger de surface de la sous-classe (b) dont le déplacement type dépasse 8.000 tonnes (8.128 tonnes métriques), ou d'un bâtiment léger de surface de la sous-classe (a), si le bâtiment en question n'est pas encore hors d'âge, par un bâtiment léger de surface de la même sous-classe dont le déplacement type pourra atteindre 10.000 tonnes (10.160 tonnes métriques).

Article 24

1. Si une Haute Partie Contractante se trouve engagée dans une guerre, elle pourra, si elle estime que les exigences de sa défense maritime en sont matériellement affectées, suspendre, pour ce qui la concerne, l'exécution d'une ou de toutes les obligations du présent Traité, à condition de notifier rapidement aux autres Hautes Parties Contractantes que les circonstances exigent cette suspension, et de spécifier les obligations dont elle juge nécessaire de suspendre l'exécution.

2. Dans ce cas, les autres Hautes Parties Contractantes se consulteront rapidement et examineront la situation qui se présente, en vue de s'entendre sur les obligations du présent Traité dont chacune desdites Hautes Parties Contractantes pourrait, le cas échéant, suspendre l'exécution. Au cas où cette consultation n'aboutirait pas à un accord, l'une quelconque desdites Hautes Parties Contractantes pourra suspendre, pour ce qui la concerne, l'exécution d'une ou de toutes les obligations du présent Traité, à condition de donner rapidement avis aux autres Hautes Parties Contractantes des obligations dont elle juge nécessaire de suspendre l'exécution.

Part IV

Part IV.

GENERAL AND SAFEGUARDING CLAUSES

General and safeguarding clauses.

Article 22

No High Contracting Party shall, by gift, sale or any mode of transfer, dispose of any of His surface vessels of war or submarines in such a manner that such vessel may become a surface vessel of war or a submarine in any foreign navy. This provision shall not apply to auxiliary vessels.

Restriction on disposal of vessels of war, etc.

Auxiliary vessels.

Article 23

(1) Nothing in the present Treaty shall prejudice the right of any High Contracting Party, in the event of loss or accidental destruction of a vessel, before the vessel in question has become over-age, to replace such vessel by a vessel of the same category or sub-category as soon as the particulars of the new vessel mentioned in Article 12 (*b*) shall have reached all the other High Contracting Parties.

Replacements

Ante, p. 1377

(2) The provisions of the preceding paragraph shall also govern the immediate replacement, in such circumstances, of a light surface vessel of sub-category (*b*) exceeding 8,000 tons (8,128 metric tons) standard displacement, or of a light surface vessel of sub-category (*a*), before the vessel in question has become over-age, by a light surface vessel of the same sub-category of any standard displacement up to 10,000 tons (10,160 metric tons).

Article 24

(1) If any High Contracting Party should become engaged in war, such High Contracting Party may, if He considers the naval requirements of His defence are materially affected, suspend, in so far as He is concerned, any or all of the obligations of the present Treaty, provided that He shall promptly notify the other High Contracting Parties that the circumstances require such suspension, and shall specify the obligations it is considered necessary to suspend.

Certain obligations waived in time of war.

Notice thereof to other Powers

(2) The other High Contracting Parties shall in such case promptly consult together, and shall examine the situation thus presented with a view to agreeing as to the obligations of the present Treaty, if any, which each of the said High Contracting Parties may suspend. Should such consultation not produce agreement, any of the said High Contracting Parties may suspend, in so far as He is concerned, any or all of the obligations of the present Treaty, provided that He shall promptly give notice to the other High Contracting Parties of the obligations which it is considered necessary to suspend.

Examination of situation

Suspension of obligations in case of disagreement

Notice.

3. A la cessation des hostilités, les Hautes Parties Contractantes se consulteront en vue de fixer une date à laquelle les obligations du Traité dont l'exécution a été suspendue entreront de nouveau en vigueur, et de se mettre d'accord sur tous amendements au présent Traité qui seraient jugés nécessaires.

Article 25

1. Au cas où des bâtiments non conformes aux limitations et restrictions de déplacement type et d'armement prescrites par les articles 4, 5 et 7 du présent Traité seraient autorisés, construits ou acquis par une Puissance non partie audit Traité, chacune des Hautes Parties Contractantes se réserve le droit de déroger, dans le cas et dans la mesure où elle estimerait de telles dérogations nécessaires pour répondre aux exigences de sa sécurité nationale:

a) pendant le reste de la durée du Traité, aux limitations et restrictions des articles 3, 4, 5, 6 paragraphe (1) et 7;

b) pendant l'année en cours, à ses programmes annuels de construction et à ses déclarations d'acquisition.

Ce droit sera exercé conformément aux dispositions suivantes:

2. Toute Haute Partie Contractante qui estimerait nécessaire d'exercer ce droit, en donnera notification aux autres Hautes Parties Contractantes, en indiquant avec précision la nature, la portée et les motifs des dérogations projetées.

3. Après quoi les Hautes Parties Contractantes se consulteront et s'efforceront d'aboutir à un accord en vue de réduire au minimum la portée des dérogations éventuelles.

4. A l'expiration d'un délai de trois mois à compter de la date à laquelle aura été faite la première des notifications prévues au paragraphe (2) ci-dessus, chacune des Hautes Parties Contractantes sera, à moins d'accord contraire, fondée à déroger, pendant le reste de la durée du présent Traité, aux limitations et restrictions prescrites par les articles 3, 4, 5, 6 paragraphe (1) et 7 dudit Traité.

5. A l'expiration du délai visé au paragraphe précédent, toute Haute Partie Contractante pourra, à moins qu'un accord n'intervienne au cours des consultations prévues au paragraphe (3) ci-dessus, et après en avoir informé toutes les autres Hautes Parties Contractantes, déroger à ses programmes annuels de construction et à ses déclarations d'acquisition, et modifier les caractéristiques de tous bâtiments en construction ou figurant déjà dans ses programmes ou déclarations.

6. En pareil cas, aucune des dispositions de la partie III du présent Traité ne pourra être invoquée pour imposer un retard dans l'acquisition, la mise sur cale, ou la modification d'aucun bâtiment. Toutefois, les renseignements prévus au paragraphe (b) de l'article 12 seront communiqués à toutes les autres Hautes Parties Contractantes avant la mise sur cale de tout bâtiment. En cas d'acquisition, les renseignements relatifs aux bâtiments acquis seront fournis conformément aux dispositions de l'article 14.

(3) On the cessation of hostilities, the High Contracting Parties shall consult together with a view to fixing a date upon which the obligations of the Treaty which have been suspended shall again become operative, and to agreeing upon any amendments in the present Treaty which may be considered necessary.

Cessation of hostilities, resumption of obligations

Article 25

(1) In the event of any vessel not in conformity with the limitations and restrictions as to standard displacement and armament prescribed by Articles 4, 5 and 7 of the present Treaty being authorised, constructed or acquired by a Power not a party to the present Treaty, each High Contracting Party reserves the right to depart if, and to the extent to which, He considers such departures necessary in order to meet the requirements of His national security;

Limitations as to standard displacement, etc.
Departures to meet requirements of national security.
Ante, pp. 1371, 1372.

(a) during the remaining period of the Treaty, from the limitations and restrictions of Articles 3, 4, 5, 6 (1) and 7, and

(b) during the current year, from His Annual Programmes of construction and declarations of acquisition.

This right shall be exercised in accordance with the following provisions:—

(2) Any High Contracting Party who considers it necessary that such right should be exercised, shall notify the other High Contracting Parties to that effect, stating precisely the nature and extent of the proposed departures and the reasons therefor.

Notice to other powers.

(3) The High Contracting Parties shall thereupon consult together and endeavour to reach an agreement with a view to reducing to a minimum the extent of the departures which may be made.

Consultation with view of minimizing extent of departure

(4) On the expiration of a period of three months from the date of the first of any notifications which may have been given under paragraph (2) above, each of the High Contracting Parties shall, subject to any agreement which may have been reached to the contrary, be entitled to depart during the remaining period of the present Treaty from the limitations and restrictions prescribed in Articles 3, 4, 5, 6 (1) and 7 thereof.

Suspension of limitations, etc.

(5) On the expiration of the period mentioned in the preceding paragraph, any High Contracting Party shall be at liberty, subject to any agreement which may have been reached during the consultations provided for in paragraph (3) above, and on informing all the other High Contracting Parties, to depart from His Annual Programmes of construction and declarations of acquisition and to alter the characteristics of any vessels building or which have already appeared in His Programmes or declarations.

Ante, pp. 1371, 1373.

Alteration of vessels.

(6) In such event, no delay in the acquisition, the laying of the keel, or the altering of any vessel shall be necessary by reason of any of the provisions of Part III of the present Treaty. The particulars mentioned in Article 12 (b) shall, however, be communicated to all the other High Contracting Parties before the keels of any vessels are laid. In the case of acquisition, information relating to the vessel shall be given under the provisions of Article 14.

Delay unnecessary.

Article 26

1. Au cas où une Haute Partie Contractante estimerait que les exigences de sa sécurité nationale sont matériellement affectées par un changement de circonstances autre que ceux prévus au paragraphe (2) de l'article 6 et aux articles 24 et 25 du présent Traité, cette Haute Partie Contractante aura le droit de déroger, pendant l'année en cours, à ses programmes annuels de construction et à ses déclarations d'acquisition. Toutefois, le volume des constructions auxquelles une Partie au Traité procéderait en conformité avec les limitations et restrictions établies par ledit Traité, ne saurait constituer un changement de circonstances aux fins du présent article. Le droit sus-mentionné sera exercé conformément aux dispositions ci-après.

2. Ladite Haute Partie Contractante, si elle estime nécessaire d'exercer ce droit, le notifiera à toutes les autres Hautes Parties Contractantes, en indiquant dans quelle mesure elle se propose de déroger à ses programmes annuels de construction et à ses déclarations d'acquisition en fournissant les motifs des dérogations projetées.

3. Après quoi les Hautes Parties Contractantes se consulteront en vue de déterminer d'un commun accord si des dérogations sont nécessaires pour faire face à la situation.

4. A l'expiration d'un délai de trois mois à compter de la date à laquelle aura été faite la première des notifications prévues au paragraphe (2) ci-dessus, chacune des Hautes Parties Contractantes sera, à moins d'accord contraire, fondée à déroger à ses programmes annuels de construction et à ses déclarations d'acquisition, à condition d'en donner rapidement avis aux autres Hautes Parties Contractantes, en indiquant avec précision dans quelle mesure elle entend y déroger.

5. En pareil cas, aucune des dispositions de la partie III du présent Traité ne pourra être invoquée pour imposer un retard dans l'acquisition, la mise sur cale ou la modification d'aucun bâtiment. Toutefois, les renseignements prévus au paragraphe (b) de l'article 12 seront communiqués à toutes les autres Hautes Parties Contractantes avant la mise sur cale de tout bâtiment. En cas d'acquisition, les renseignements relatifs aux bâtiments acquis seront fournis conformément aux dispositions de l'article 14.

Partie V**DISPOSITIONS FINALES***Article 27*

Le présent Traité demeurera en vigueur jusqu'au 31 décembre 1942.

Article 28

1. Au cours du dernier trimestre de 1940, le Gouvernement de Sa Majesté dans le Royaume-Uni de Grande Bretagne et d'Irlande du Nord ouvrira une consultation, par la voie diplomatique, entre les Gouvernements des Parties au présent Traité, en vue de réunir une

Article 26

(1) If the requirements of the national security of any High Contracting Party should, in His opinion, be materially affected by any change of circumstances, other than those provided for in Articles 6 (2), 24 and 25 of the present Treaty, such High Contracting Party shall have the right to depart for the current year from His Annual Programmes of construction and declarations of acquisition. The amount of construction by any Party to the Treaty, within the limitations and restrictions thereof, shall not, however, constitute a change of circumstances for the purposes of the present Article. The above mentioned right shall be exercised in accordance with the following provisions:—

Departure from annual program of construction, etc., if national security requires.
Ante, pp 1373, 1385, 1387

(2) Such High Contracting Party shall, if He desires to exercise the above mentioned right, notify all the other High Contracting Parties to that effect, stating in what respects He proposes to depart from His Annual Programmes of construction and declarations of acquisition, giving reasons for the proposed departure.

(3) The High Contracting Parties will thereupon consult together with a view to agreement as to whether any departures are necessary in order to meet the situation.

(4) On the expiration of a period of three months from the date of the first of any notifications which may have been given under paragraph (2) above, each of the High Contracting Parties shall, subject to any agreement which may have been reached to the contrary, be entitled to depart from His Annual Programmes of construction and declarations of acquisition, provided notice is promptly given to the other High Contracting Parties stating precisely in what respects He proposes so to depart.

(5) In such event, no delay in the acquisition, the laying of the keel, or the altering of any vessel shall be necessary by reason of any of the provisions of Part III of the present Treaty. The particulars mentioned in Article 12 (b) shall, however, be communicated to all the other High Contracting Parties before the keels of any vessels are laid. In the case of acquisition, information relating to the vessel shall be given under the provisions of Article 14

Part V

Part V.

FINAL CLAUSES

Final clauses

Article 27

The present Treaty shall remain in force until the 31st December, 1942.

Duration.

Article 28

(1) His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland will, during the last quarter of 1940, initiate through the diplomatic channel a consultation between the Governments of the Parties to the present Treaty with a view to

Conference to frame new treaty in 1941.

conférence pour élaborer un nouveau traité pour la réduction et la limitation des armements navals. Cette conférence se tiendra en 1941, à moins qu'au cours de cette consultation préliminaire, il apparaisse qu'il ne soit ni désirable, ni praticable, de réunir une telle conférence à ce moment.

2. Au cours de la consultation prévue au paragraphe précédent, les Hautes Parties Contractantes échangeront leurs vues afin de déterminer si, à la lumière des circonstances du moment ainsi que de l'expérience acquise d'ici là dans l'établissement des plans et dans la construction de bâtiments de ligne, il serait possible de se mettre d'accord sur une réduction du déplacement type ou du calibre de l'artillerie des bâtiments de ligne dont les programmes annuels futurs prévoieraient la construction, et de parvenir par là, si possible, à une réduction du coût des bâtiments de ligne.

Article 29

Aucune disposition du présent Traité ne constituera un précédent pour tout traité futur.

Article 30

1. Le présent Traité sera ratifié par les Puissances signataires selon les procédures constitutionnelles auxquelles elles sont respectivement tenues, et les instruments de ratification en seront déposés le plus tôt possible auprès du Gouvernement de Sa Majesté dans le Royaume-Uni, qui transmettra des expéditions authentiques de tous les procès-verbaux de dépôt des ratifications aux gouvernements desdites Puissances ainsi que de tout pays au nom duquel il aura été accédé au Traité conformément aux dispositions de l'article 31.

2. Le présent Traité entrera en vigueur le 1^{er} janvier 1937 si les instruments de ratification de toutes lesdites Puissances ont été déposés à cette date. Si, au 1^{er} janvier 1937, tous les instruments de ratification sus-mentionnés n'ont pas été déposés, le Traité entrera en vigueur dès que tous ces instruments auront été reçus.

Article 31

1. A compter de ce jour, le présent Traité sera à tout moment ouvert à l'accession de tout pays au nom duquel le Traité pour la limitation et la réduction des armements navals a été signé à Londres le 22 avril 1930, mais au nom duquel le présent Traité n'a pas été signé. L'instrument d'accession sera déposé auprès du Gouvernement de Sa Majesté dans le Royaume-Uni, qui transmettra une expédition authentique des procès-verbaux de dépôt aux gouvernements des Puissances signataires ainsi que de tout autre pays au nom duquel il aura été accédé au traité.

2. Si une accession intervient avant la date d'entrée en vigueur du Traité, elle prendra effet à cette date. Si elle est faite postérieurement à ladite date, elle prendra effet immédiatement.

holding a conference in order to frame a new treaty for the reduction and limitation of naval armament. This conference shall take place in 1941 unless the preliminary consultations should have shown that the holding of such a conference at that time would not be desirable or practicable.

(2) In the course of the consultation referred to in the preceding paragraph, views shall be exchanged in order to determine whether, in the light of the circumstances then prevailing and the experience gained in the interval in the design and construction of capital ships, it may be possible to agree upon a reduction in the standard displacement or calibre of guns of capital ships to be constructed under future annual programmes and thus, if possible, to bring about a reduction in the cost of capital ships.

Article 29

None of the provisions of the present Treaty shall constitute a precedent for any future treaty. Provisions herein
not precedents

Article 30

(1) The present Treaty shall be ratified by the Signatory Powers in accordance with their respective constitutional methods, and the instruments of ratification shall be deposited as soon as possible with His Majesty's Government in the United Kingdom, which will transmit certified copies of all the *procès-verbaux* of the deposits of ratifications to the Governments of the said Powers and of any country on behalf of which accession has been made in accordance with the provisions of Article 31. Deposit of instru-
ments of ratification.

(2) The Treaty shall come into force on the 1st January, 1937, provided that by that date the instruments of ratification of all the said Powers shall have been deposited. If all the above-mentioned instruments of ratification have not been deposited by the 1st January, 1937, the Treaty shall come into force so soon thereafter as these are all received. Date of coming into
force.

Article 31

(1) The present Treaty shall, at any time after this day's date, be open to accession on behalf of any country for which the Treaty for the Limitation and Reduction of Naval Armament was signed in London on the 22nd April, 1930, but for which the present Treaty has not been signed. The instrument of accession shall be deposited with His Majesty's Government in the United Kingdom, which will transmit certified copies of the *procès-verbaux* of the deposit to the Governments of the Signatory Powers and of any country on behalf of which accession has been made. Open for accessions.

(2) Accessions, if made prior to the date of the coming into force of the Treaty, shall take effect on that date. If made afterwards, they shall take effect immediately. Effective dates.

3. Si une accession intervient après la date d'entrée en vigueur du Traité, les renseignements suivants seront fournis par la Puissance qui accède, à temps pour parvenir à toutes les autres Hautes Parties Contractantes dans le mois qui suivra la date d'accession:

(a) Le premier programme annuel de construction et la première déclaration d'acquisition, comme prévu au paragraphe (a) de l'article 12 et à l'article 14, en ce qui concerne les bâtiments des classes et sous-classes mentionnées audit article 12 qui, déjà autorisés, n'ont pas encore été mis sur cale ou acquis.

(b) Une liste des bâtiments des classes et sous-classes susmentionnées, achevés ou acquis après la date d'entrée en vigueur du présent Traité, indiquant les caractéristiques de ces bâtiments, comme spécifié au paragraphe (b) de l'article 12, ainsi que les mêmes caractéristiques concernant de tels bâtiments qui ont été construits dans le ressort de la juridiction de la Puissance qui accède, après la date d'entrée en vigueur du présent Traité, pour le compte d'une Puissance non partie audit Traité.

(c) Les caractéristiques prévues au paragraphe (b) de l'article 12 concernant tous bâtiments des classes et sous-classes susmentionnées, en construction à ce moment pour le compte de la Puissance qui accède, que ces bâtiments soient ou non construits dans le ressort de sa juridiction, ainsi que les mêmes caractéristiques concernant de tels bâtiments en construction à ce moment, dans le ressort de sa juridiction, pour le compte d'une Puissance non partie au présent Traité.

(d) Des listes de tous les petits navires de combat et bâtiments auxiliaires avec les caractéristiques et les informations les concernant, comme prévu à l'article 19.

4. A titre de réciprocité, chacune des Hautes Parties Contractantes fournira au Gouvernement de tout pays au nom duquel il aura été accédé au Traité après la date d'entrée en vigueur de celui-ci, les renseignements indiqués au paragraphe (3) ci-dessus, à temps pour qu'ils parviennent à ce Gouvernement dans le délai visé audit paragraphe.

5. Aucune disposition de la partie III du présent Traité n'empêchera la Puissance qui accède audit Traité de mettre sur cale ou d'acquérir, à tout moment dans les quatre mois qui suivront la date de son accession, tout bâtiment précédemment autorisé, ou compris, ou à comprendre dans son premier programme annuel de construction ou sa première déclaration d'acquisition, à condition que les renseignements prescrits au paragraphe (b) de l'article 12 soient, pour chaque bâtiment, fournis à temps pour parvenir à toutes les autres Hautes Parties Contractantes dans le mois qui suivra la date de son accession.

Article 32

Le présent Traité, dont les textes français et anglais feront également foi, sera déposé dans les archives du Gouvernement de Sa Majesté dans le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, qui en transmettra des expéditions authentiques aux gouvernements des pays au nom desquels le Traité pour la limitation et la réduction des armements navals a été signé à Londres le 22 avril 1930.

(3) If accession should be made after the date of the coming into force of the Treaty, the following information shall be given by the acceding Power so as to reach all the other High Contracting Parties within one month after the date of accession:—

Data to be given
other Contracting
Parties by acceding
Power

(a) The initial Annual Programme of construction and declaration of acquisition, as prescribed by Articles 12 (a) and 14, relating to vessels already authorised, but not yet laid down or acquired, belonging to the categories or sub-categories mentioned in Article 12 (a).

Ante, pp. 1377, 1379

(b) A list of the vessels of the above-mentioned categories or sub-categories completed or acquired after the date of the coming into force of the present Treaty, stating particulars of such vessels as specified in Article 12 (b), together with similar particulars relating to any such vessels which have been constructed within the jurisdiction of the acceding Power after the date of the coming into force of the present Treaty, for a Power not a party thereto.

(c) Particulars, as specified in Article 12 (b), of all vessels of the categories or sub-categories above-mentioned which are then under construction for the acceding Power, whether or not such vessels are being constructed within His own jurisdiction, together with similar particulars relating to any such vessels then under construction within His jurisdiction for a Power not a party to the present Treaty.

Ante, p. 1377

(d) Lists of all minor war vessels and auxiliary vessels with their characteristics and information concerning them, as prescribed by Article 19.

Ante, p. 1381

(4) Each of the High Contracting Parties shall reciprocally furnish to the Government of any country on behalf of which accession is made after the date of the coming into force of the present Treaty, the information specified in paragraph (3) above, so as to reach that Government within the period therein mentioned.

Data by signatories
to acceding Power

(5) Nothing in Part III of the present Treaty shall prevent an acceding Power from laying down or acquiring, at any time during the four months following the date of accession, any vessel included, or to be included, in His initial Annual Programme of construction or declaration of acquisition, or previously authorised, provided that the information prescribed by Article 12 (b) concerning each vessel shall be communicated so as to reach all the other High Contracting Parties within one month after the date of accession.

Construction or ac-
quisition of vessels by
acceding Power

Article 32

The present Treaty, of which the French and English texts shall both be equally authentic, shall be deposited in the Archives of His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland which will transmit certified copies thereof to the Governments of the countries for which the Treaty for the Limitation and Reduction of Naval Armament was signed in London on the 22nd April, 1930.

French and English
texts equally authen-
tic
Deposit of treaty.

En foi de quoi, les Plénipotentiaires sus-nommés ont signé le présent Traité et y ont apposé leurs cachets.

Fait à Londres, le 25 mars mil neuf cent trente-six.

[SEAL]	NORMAN H. DAVIS
[SEAL]	WILLIAM H. STANDLEY
[SEAL]	CHARLES CORBIN
[SEAL]	ROBERT G.
[SEAL]	ANTHONY EDEN
[SEAL]	MONSELL
[SEAL]	STANHOPE
[SEAL]	VINCENT MASSEY
[SEAL]	S. M. BRUCE
[SEAL]	C. J. PARR
[SEAL]	R. A. BUTLER

PROTOCOLE DE SIGNATURE.

Au moment de signer le Traité qui porte la date de ce jour, les soussignés, dûment autorisés à cet effet par leurs Gouvernements respectifs, sont convenus des dispositions suivantes:

1. Si, avant l'entrée en vigueur du Traité susmentionné, les constructions navales d'une Puissance, ou un changement de circonstances, paraissent de nature à ne pas rendre désirable l'entrée en vigueur du Traité dans sa forme actuelle, les Puissances au nom desquelles le Traité a été signé se consulteront afin de déterminer s'il convient de modifier l'une quelconque de ses dispositions pour faire face à la situation qui se présenterait.

2. Au cas où le Traité n'entrerait pas en vigueur le 1^{er} janvier 1937, et à titre provisoire, les Puissances susmentionnées se communiqueront rapidement, après la mise sur cale, l'acquisition ou l'achèvement de bâtiments des classes et sous-classes mentionnées au paragraphe (a) de l'article 12 du Traité, les renseignements ci-dessous concernant lesdits bâtiments mis sur cale entre le 1^{er} janvier 1937 et la date d'entrée en vigueur du Traité; il est entendu toutefois que cette obligation cessera ses effets après le 1^{er} juillet 1937.

Nom ou appellation.

Classe et sous-classe.

Déplacement type en tonnes et en tonnes métriques.

Dimensions principales correspondant au déplacement type, à savoir:

longueur à la ligne de flottaison,

largeur maxima à ou sous la ligne de flottaison.

Tirant d'eau moyen correspondant au déplacement type.

Calibre du plus gros canon.

3. Le présent Protocole, dont les textes français et anglais feront également foi, entrera en vigueur à la date de ce jour. Il sera déposé dans les archives du Gouvernement de Sa Majesté dans le Royaume-Uni de Grande Bretagne et d'Irlande du Nord, qui en transmettra des expéditions authentiques aux Gouvernements des pays au nom desquels le Traité pour la limitation et la réduction des armements navals a été signé à Londres le 22 avril 1930.

In faith whereof the above-named Plenipotentiaries have signed the present Treaty and have affixed thereto their seals.

Signatures.

Done in London the 25th day of March, nineteen hundred and thirty-six.

[SEAL]	NORMAN H. DAVIS
[SEAL]	WILLIAM H. STANDLEY
[SEAL]	CHARLES CORBIN
[SEAL]	ROBERT G.
[SEAL]	ANTHONY EDEN
[SEAL]	MONSELL
[SEAL]	STANHOPE
[SEAL]	VINCENT MASSEY
[SEAL]	S. M. BRUCE
[SEAL]	C. J. PARR
[SEAL]	R. A. BUTLER

PROTOCOL OF SIGNATURE.

At the moment of signing the Treaty bearing this day's date, the undersigned, duly authorised to that effect by their respective Governments, have agreed as follows:—

Protocol of signature

1. If, before the coming into force of the above-mentioned Treaty, the naval construction of any Power, or any change of circumstances, should appear likely to render undesirable the coming into force of the Treaty in its present form, the Powers on behalf of which the Treaty has been signed will consult as to whether it is desirable to modify any of its terms to meet the situation thus presented.

2. In the event of the Treaty not coming into force on the 1st January, 1937, the above-mentioned Powers will, as a temporary measure, promptly communicate to one another, after the laying down, acquisition or completion of any vessels in the categories or sub-categories mentioned in Article 12 (a) of the Treaty, the information detailed below concerning all such vessels laid down between the 1st January, 1937 and the date of the coming into force of the Treaty, provided, however, that this obligation shall not continue after 1st July, 1937:—

Name or designation;
 Classification of the vessel;
 Standard displacement in tons and metric tons;
 Principal dimensions at standard displacement, namely
 length at waterline and extreme beam at or below
 waterline;

Mean draught at standard displacement;
 Calibre of the largest gun.

3. The present Protocol, of which the French and English texts shall both be equally authentic, shall come into force on this day's date. It shall be deposited in the archives of His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland which will transmit certified copies thereof to the Governments of the countries for which the Treaty for the Limitation and Reduction of Naval Armament was signed in London on the 22nd April, 1930.

Effective date of Protocol.

En foi de quoi, les Plénipotentiaires sus-nommés ont signé le présent protocole et y ont apposé leurs cachets.

Fait à Londres, le 25 mars mil neuf cent trente-six.

[SEAL]	NORMAN H. DAVIS
[SEAL]	WILLIAM H. STANDLEY
[SEAL]	CHARLES CORBIN
[SEAL]	ROBERT G.
[SEAL]	ANTHONY EDEN
[SEAL]	MONSELL
[SEAL]	STANHOPE
[SEAL]	VINCENT MASSEY
[SEAL]	S. M. BRUCE
[SEAL]	C. J. PARR
[SEAL]	R. A. BUTLER

PROTCOLE ADDITIONNEL.

Les Plénipotentiaires soussignés expriment l'espoir que le jeu des préavis et des échanges de renseignements se poursuivra par voie d'accord international après l'expiration du Traité portant la date de ce jour, et que, dans tout traité ultérieur, il sera possible de parvenir à de nouvelles réductions dans les armements navals.

Fait à Londres, le 25 mars mil neuf cent trente-six.

NORMAN H. DAVIS
WILLIAM H. STANDLEY
CHARLES CORBIN
ROBERT G.
ANTHONY EDEN
MONSELL
STANHOPE
VINCENT MASSEY
S. M. BRUCE
C. J. PARR
R. A. BUTLER

In faith whereof the above-named Plenipotentiaries have signed the present Protocol and have affixed thereto their seals.

Signatures.

Done in London the 25th day of March, nineteen hundred and thirty-six.

[SEAL]	NORMAN H. DAVIS
[SEAL]	WILLIAM H. STANDLEY
[SEAL]	CHARLES CORBIN
[SEAL]	ROBERT G.
[SEAL]	ANTHONY EDEN
[SEAL]	MONSELL
[SEAL]	STANHOPE
[SEAL]	VINCENT MASSEY
[SEAL]	S. M. BRUCE
[SEAL]	C. J. PARR
[SEAL]	R. A. BUTLER

ADDITIONAL PROTOCOL.

Additional Protocol

The undersigned Plenipotentiaries express the hope that the system of Advance Notification and Exchange of Information will be continued by international agreement after the expiration of the Treaty bearing this day's date, and that it may be possible in any future Treaty to achieve some further measure of reduction in naval armament.

Advance notification and exchange of information.

Done in London the 25th day of March, nineteen hundred and thirty-six.

Signatures.

NORMAN H. DAVIS
 WILLIAM H. STANDLEY
 CHARLES CORBIN
 ROBERT G.
 ANTHONY EDEN
 MONSELL
 STANHOPE
 VINCENT MASSEY
 S. M. BRUCE
 C. J. PARR
 R. A. BUTLER

AND WHEREAS the said Treaty has been duly ratified on the parts of all the signatory Governments, and their respective instruments of ratification have been deposited with the Government of the United Kingdom of Great Britain and Northern Ireland, the last on the twenty-ninth day of July, one thousand nine hundred and thirty-seven, on which day the said Treaty came into force in accordance with the second paragraph of Article 30 thereof:

Ante, p. 1391.

Proclamation.

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Treaty, Protocol of Signature and Additional Protocol to be made public to the end that the said Treaty and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof;

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this sixth day of August in the year of our Lord one thousand nine hundred and thirty-seven, and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

Convention between the United States of America and Canada concerning income taxation. Signed at Washington, December 30, 1936; ratification advised by the Senate, August 6, 1937; ratified by the President, August 13, 1937; ratified by Canada, August 11, 1937; ratifications exchanged at Washington, August 13, 1937; proclaimed, August 16, 1937.

December 30, 1936
[T. S. No. 920]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

WHEREAS a reciprocal convention between the United States of America and Canada concerning rates of income tax imposed upon non-resident individuals and corporations was concluded and signed by their respective Plenipotentiaries at Washington, on the thirtieth day of December, one thousand nine hundred and thirty-six, a true copy of which reciprocal convention is word for word as follows:

Convention with
Canada concerning in-
come taxation.
Preamble.

The Government of the United States of America and the Government of Canada, being desirous of concluding a reciprocal convention concerning rates of income tax imposed upon non-resident individuals and corporations, have agreed as follows:

Purposes declared.

ARTICLE I

The High Contracting Parties mutually agree that the income taxation imposed in the two States shall be subject to the following reciprocal provisions:

Reciprocal provi-
sions.

- (a) The rate of income tax imposed by one of the Contracting States, in respect of income derived from sources therein, upon individuals residing in the other State, who are not engaged in trade or business in the taxing State and have no office or place of business therein, shall not exceed five per centum for each taxable year, so long as an equivalent or lower rate of income taxation is imposed by the other State upon individuals residing in the former State who are not engaged in trade or business in such other State and do not have an office or place of business therein.
- (b) The rate of income tax imposed by one of the Contracting States, in respect of dividends derived from sources therein, upon non-resident foreign corporations organized under the laws of the other State, which are not engaged in trade or business in the taxing State and have no office or place of business therein, shall not exceed five per centum for each taxable year, so long as an equivalent or lower rate of income taxation on dividends is imposed by the other State upon corporations organized under the laws of the former State which are not engaged in trade or business in such other State and do not have an office or place of business therein.

- (c) Either State shall be at liberty to increase the rate of taxation prescribed by paragraphs (a) and (b) of this article, and in such case the other State shall be released from the requirements of the said paragraphs (a) and (b).
- (d) Effect shall be given to the foregoing provisions by both States as and from the first day of January, nineteen hundred and thirty-six.

ARTICLE II

Inapplicable to U S
citizens domiciled, etc.,
in Canada.

The provisions of this Convention shall not apply to citizens of the United States of America domiciled or resident in Canada.

ARTICLE III

Effective date

This Convention shall be ratified and shall take effect immediately upon the exchange of ratifications which shall take place at Washington as soon as possible.

Signatures

Signed, in duplicate, at Washington by the duly authorized representatives of the United States of America and Canada, this thirtieth day of December, in the year of our Lord, one thousand nine hundred and thirty-six.

For the United States of America:

[SEAL]

R. WALTON MOORE

Acting Secretary of State

For Canada:

[SEAL]

HERBERT M MARLER.

*Envoy Extraordinary and
Minister Plenipotentiary*

Ratifications ex-
changed

AND WHEREAS the said reciprocal convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Washington, on the thirteenth day of August, one thousand nine hundred and thirty-seven;

Proclamation.

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said reciprocal convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this sixteenth day of August in the year of our Lord one thousand nine hundred and
[SEAL] thirty-seven, and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

**INTERNATIONAL AGREEMENTS
OTHER THAN TREATIES**

INTERNATIONAL AGREEMENTS OTHER THAN TREATIES

Agreement between the United States of America and Brazil respecting a naval mission. Signed May 27, 1936; effective June 25, 1936.

May 27, 1936
[E A S No 94]

In conformity with the request made by the Ambassador of Brazil in Washington to the Secretary of State, the President of the United States of America, by virtue of the authority conferred by the Act of Congress of May 19, 1926, entitled "An Act To authorize the President to detail officers and enlisted men of the United States Army, Navy, and Marine Corps to assist the Governments of the Latin-American Republics in military and naval matters", as amended by an Act of May 14, 1935, to include the Commonwealth of the Philippine Islands, has authorized the appointment of officers to constitute the Brazilian Naval Mission, under the conditions specified below:

De conformidade com o pedido feito pelo Embaixador do Brasil em Washington ao Secretario de Estado, o Presidente dos Estados Unidos da America, em virtude da autoridade conferida pela Lei do Congresso de 19 de Maio de 1926, intitulada "Lei que autoriza o Presidente a designar officiaes e homens alistados do exercito, marinha e corpo de infantaria de marinha para colaborar com os Governos das Republicas Latino-Americanas nos serviços militares e navaes" e alterada pela Lei de 14 de Maio de 1935 para incluir o "Commonwealth" das Ilhas Philippinas, autorizou a nomeação de Officiaes para constituirem a Missão Naval no Brasil, nas condições abaixo especificadas:

Agreement with
Brazil respecting a
naval mission

44 Stat 565, 49 Stat.
218

ARTICLE I

1. The purpose of the Naval Mission is to cooperate with the Minister of Marine and the officers of the Brazilian Navy, with a view to enhancing the efficiency of the Brazilian Navy.

2. This contract when signed by the legal representatives of

ARTIGO I

1. O fim da Missão Naval é cooperar com o Ministro da Marinha e com os Officiaes da Armada do Brasil no sentido de augmentar a eficiencia da Marinha de Guerra Brasileira.

2. Este contracto, uma vez assinado pelos representantes au-

Purpose.

Effective date of
contract

Duration

the United States of America and the United States of Brazil shall be effective as of June 25, 1936 (the expiration date of the present contract). It provides for an extension of the Mission for a period of four years from the above date unless terminated sooner or prolonged further than provided here.

3. If the Government of Brazil shall desire the services of the Mission to be prolonged, in whole or in part, beyond the period stipulated, a proposal to that effect must be made six months before the termination of this agreement.

4. If it should be necessary, in the interest of either of the two Governments, for the present agreement or an extension thereof to be terminated before the time specified, the Government desiring this must notify the other Government three months in advance.

5. It is here stipulated and agreed that as long as the Mission is functioning under this agreement or an extension thereof, the Government of Brazil will not contract for the services of any mission or personnel of any other foreign Government for the duties and purposes treated of in this agreement.

torizados dos Estados Unidos da America e dos Estados Unidos do Brasil, começará a vigorar a partir de 25 de Junho de 1936 (data da expiração do actual contracto). Elle estabelece uma prorrogação da Missão por um periodo de quatro annos, contado da data acima, a menos que termine mais cedo ou que se prolongue mais do que aqui é estabelecido.

3. Se o Governo do Brasil de-sejar que o serviço da Missão se prolongue, no todo ou em parte, alem do periodo estipulado, uma proposta para esse fim deve ser feita seis mezes antes do termo deste accôrdo.

4. Se fôr necessario, no interesse de qualquer dos dois Governos, que se termine o presente contracto ou seu prolongamento antes do tempo especificado, o Governo que o desejar deverá notificar o outro três mezes antes.

5. É aqui estipulado e accordado que enquanto a Missão funcionar sob este accôrdo, ou prolongamento delle, o Governo do Brasil não contractará os serviços de qualquer Missão ou pessoal de qualquer outro Governo estrangeiro para as funcções e fins tratados neste accôrdo.

ARTICLE II

1. The Naval Mission shall be composed, in addition to the two officers who are already in Brazil on similar duty, of six (6) additional officers of the United States

ARTIGO II

1. A Missão Naval compor-se-á, alem dos dois Officiaes que já se encontram no Brasil em serviços semelhantes, de mais seis (6) Officiaes da Marinha dos Estados

Composition and personnel

Navy, on the active list, and two (2) additional chief yeomen, and two (2) aviation chief petty officers or petty officers, first class. This personnel shall be chosen by the Navy Department of the United States of America, in agreement, however, with the Brazilian Government.

2. These officers shall have the ranks named below and shall be assigned to the following duties:

- 1 Captain, as Chief of the Naval Mission;
- 1 Commander, for the Section of Tactics of the Naval War School;
- 1 Lieutenant - Commander, for duties connected with naval communications, cryptanalysis and cryptography;
- 1 Lieutenant-Commander, for the Section of Strategy of the Naval War School;
- 1 Lieutenant - Commander, for duties connected with the use of the arms used in the Navy;
- 1 Lieutenant - Commander, for duties connected with engines, boilers, motors and repairs thereto;
- 1 Lieutenant - Commander or Lieutenant, Senior Grade, a naval aviator, for aviation duties in connection with the operations, engineering and armament of that arm;
- 1 Lieutenant - Commander or Lieutenant, Senior Grade, a Naval Constructor, for duties in connection with plans for naval construction, repairs to ships and work at arsenals.

For any of the duties specified for Lieutenant-Commanders or Lieutenants, three Commanders may be substituted.

Unidos, do quadro da activa, e de mais dois (2) sub-officiaes escreventes, e de dois (2) sub-officiaes ou primeiros-sargentos de aviação. Esse pessoal será escolhido pelo Ministerio da Marinha dos Estados Unidos da America, de accôrdo, porem, com o Governo Brasileiro.

2. Esses Officiaes terão os postos abaixo mencionados e se destinam ás seguintes funções:

- 1 Capitão de Mar e Guerra, para Chefe da Missão Naval;
- 1 Capitão de Fragata, para a Secção de Tactica da Escola de Guerra Naval;
- 1 Capitão de Corveta, para os serviços relativos a Comunicações Navaes, cryptanalyse e cryptography;
- 1 Capitão de Corveta, para a Secção de Estrategia da Escola de Guerra Naval;
- 1 Capitão de Corveta, para os serviços relativos ao emprego das armas usadas na Marinha;
- 1 Capitão de Corveta, para os serviços relativos a machinas, caldeiras, motores e reparos respectivos;
- 1 Capitão de Corveta, ou um Capitão Tenente antigo, Aviador Naval, para os serviços de Aviação referentes a operações, engenharia e armamento dessa arma;
- 1 Capitão de Corveta ou Capitão Tenente Antigo, Engenheiro de Construcção Naval, para os serviços relativos a planos de construcção naval, reparos de navios e trabalhos de arsenaes.

Para quaesquer das funções especificadas para Capitães de Corveta ou Capitães-Tenentes, podem ser designados três Capitães de Fragata.

3. The non-commissioned personnel (chief petty officers or petty officers, first class) of the Naval Mission shall be assigned, in turn, to the following duties:

- 2 aviation chief petty officers or petty officers, first class, one for duties in connection with engines and the other for duties in connection with the armament of the same arm;
- 3 chief yeomen, for duty in the office of the Naval Mission itself.

4. Any augmentation of the personnel of the Mission that is considered suitable or necessary shall be considered as a supplement to this agreement.

3. O pessoal subalterno (Sub-Officiaes ou Sargentos) da Missão Naval destinam-se, por sua vez, ás seguintes funcções:

- 2 Sub-Officiaes de Aviação ou Primeiros Sargentos, um para os serviços de motores e outro para os serviços de armamento da mesma arma;
- 3 Sub-Officiaes escreventes para os serviços de escripturação da propria Missão Naval.

4. Qualquer augmento de pessoal da Missão que se julgar conveniente ou necessario, será considerado como additamento a este accôrdo.

ARTICLE III

ARTIGO III

Rank, duties, etc

1. The members of the Naval Mission shall be subordinate only to the Brazilian Minister of Marine, through their own Chief.

2. It is the duty of the Naval Mission to advise, through the Minister of Marine, the Chief of Staff of the Navy, the Directors of Instruction, of the Naval War School, of the Naval Arsenal, of Naval Engineering and of Aeronautics, cooperating with them in all matters within their province, always indicating the necessary measures, as well as the training to be given, for the greater efficiency of the Navy.

3. In case of war between Brazil and any other nation, the Mission shall terminate. In case of civil war, no member of the Mission shall take part in operations in any capacity.

4. The members of the Mission shall retain the rank that they hold in the United States Navy. Their precedence with respect to

1. Os membros da Missão Naval ficarão unicamente subordinados ao Ministro da Marinha, por intermedio do seu proprio Chefe.

2. É dever da Missão Naval aconselhar, por intermedio do Ministro da Marinha, o Chefe do Estado Maior da Armada, os Directores do Ensino, da Escola de Guerra Naval, do Arsenal de Marinha, da Engenharia Naval e da Aeronautica, com elles cooperando em todos os assumptos da sua competencia, indicando sempre as providencias necessarias, bem como a instrucção a ministrar-se para a maior eficiencia da Marinha de Guerra.

3. Em caso de guerra entre o Brasil e qualquer outra Nação, terminará a Missão. Em caso de guerra civil nenhum membro da Missão tomará parte nas operações em qualquer categoria.

4. Os membros da Missão conservarão a graduação que têm na Marinha dos Estados Unidos. Sua precedencia em relação aos

Brazilian officers shall be according to seniority. The members of the Mission shall use only the uniform of the Navy of the United States of America.

Officiaes brasileiros será de acôrdo com a antiguidade. Os membros da Missão só usarão o uniforme da Marinha dos Estados Unidos da America.

ARTICLE IV

1. The members of the Naval Mission shall receive for their services the following annual remuneration paid by Brazil, in Brazilian paper money:

Captain-----	77:000\$000
Commander-----	66:000\$000
Lieutenant-Comman- der-----	60:000\$000
Lieutenant-----	54:000\$000
Chief Petty Officer--	27:500\$000
Petty Officer, first class-----	22:000\$000

If a member of the Mission be promoted he shall enjoy all the benefits of this contract from the date of his new commission in the grade to which promoted.

2. The pay of the members of the Mission shall begin on the date of the departure from New York and shall continue, after the service of the Mission has been concluded, to the date of the arrival at New York, traveling by the usual route. Any member of the Mission who returns to the United States of America after serving less than two years, except in case of illness, or who returns at the request of the Brazilian Government, in accordance with section 1 of Article V, shall receive his full pay only until the date of departure from Rio de Janeiro.

3. It is further stipulated that said remuneration shall not be subject to any Brazilian tax in force, or which may be established subsequently.

ARTIGO IV

1. Aos membros da Missão Naval caberá, pelos seus serviços, a seguinte remuneração annual, paga pelo Brasil, em moeda brasileira papel:

Capitão de Mar e Guerra-----	77:000\$000
Capitão de Fragata--	66:000\$000
Capitão de Corveta--	60:000\$000
Capitão Tenente----	54:000\$000
Sub-Oficial-----	27:500\$000
Primeiro Sargento--	22:000\$000

Se um membro da Missão for promovido, gozará de todos os privilegios deste contracto desde a data de sua promoção, no novo posto.

2. O pagamento dos membros da Missão começará da data da partida de Nova York e continuará, concluido o serviço da Missão, até a data da chegada em Nova York, viajando pela via usual. Qualquer membro da Missão que voltar aos Estados Unidos da America depois de servir menos de dois annos, excepto em caso de doença, ou que voltar a pedido do Governo Brasileiro, de accôrdo com o paragrafo 1 do Artigo V, só receberá pagamento integral até a data da partida do Rio de Janeiro.

3. Fica alem disso estipulado que esta remuneração não estará sujeita a imposto algum brasileiro em vigor, ou que possa ser creado posteriormente.

Compensation and allowances

Post, p. 1411

4. The expenses of land and sea transportation of the members of the Mission, their families (as defined in paragraph 6 below), household effects and baggage, and in the case of commissioned officers one automobile per officer, from New York to Rio de Janeiro, shall be paid by the Brazilian Government, in advance by the representative of the said Government, first class passage being provided for the officers and their families, and minimum first class passage for the chief petty officers, petty officers first class, and their families. The following supplementary indemnity shall also be allowed for the expenses of installation of each member of the Mission:

7:000\$000 (paper) for officers
(seven contos of reis)
2:000\$000 (paper) for chief
petty officers and petty officers,
first class (two contos
of reis).

The household effects, baggage, and in the case of commissioned officers their automobiles, of the personnel of the Mission and their families shall be exempt from customs duties and taxes of any kind in Brazil.

5. The members of the Mission who remain in Brazil two or more years shall be entitled to payment of the expenses of their return transportation, and that of their families, household effects, baggage, and in the case of commissioned officers their automobile, from Rio de Janeiro to New York. Said expenses include first class passage for the families of the officers and minimum first class passage for the chief petty officers and petty officers first class.

4. As despesas de transporte por terra e mar dos membros da Missão, suas famílias (como definido no paragrafo 6 do presente artigo) objectos de casa e bagagem, e, no caso dos Officiaes, um automovel por Official, de Nova York ao Rio de Janeiro, serão pagas pelo Governo Brasileiro, adeantadamente, pelo representante desse Governo, fornecendo-se aos Officiaes e suas famílias passagens de primeira classe e aos sub-officiaes, sargentos e suas famílias passagens de primeira classe de preço minimo. Será também concedida a seguinte ajuda de custo adicional para as despesas de instalação de cada membro da Missão:

7:000\$000 (papel) para os Officiaes (sete contos de reis)
2:000\$000 (papel) para os Sub-Officiaes e Sargentos (dois contos de reis).

Os objectos de casa, bagagem e, no caso dos Officiaes, seus automoveis, do pessoal da Missão e suas famílias, estarão isentos dos direitos aduaneiros e impostos de qualquer classe no Brasil.

5. Os membros da Missão que permanecerem no Brasil dois ou mais annos terão direito ao pagamento das despesas de transporte de volta, de suas famílias, de seus objectos de casa e bagagem e, no caso dos Officiaes, de seus automoveis, do Rio de Janeiro a Nova York. Essas despesas comprehendem passagens de primeira classe para as famílias dos Officiaes e de primeira classe de preço minimo para os dos Sub-Officiaes e Sargentos.

5(a). The return transportation for any member of the families of the members of the Mission from Rio de Janeiro to New York shall be furnished at any time after their arrival in Brazil upon request of the Senior Member of the Mission. In case the member be detached from the Mission in accordance with either paragraphs 1 or 3 of Article V before two years service in Brazil, the cost of transportation for himself and family to the United States of America shall be borne by the Government of the United States of America, and the amount of the transportation already furnished his family shall be deducted from money due him from the Brazilian Government or, if this be insufficient, repaid to the Brazilian Government by the member himself.

6. During the stay of the Mission in Brazil, the Government of Brazil will grant, upon the request of the Chief of the Mission, free entry for articles for the personal use of the members of the Mission and their families, there being considered as families the parents, wives, minor sons, unmarried daughters and sisters, while they are living in Brazil as part of the family of the respective member of the Mission.

7. After two years of service on the Mission, each member shall be entitled to a three months' furlough with full pay in Brazilian currency, including travel time, with the right to leave Brazil. The Chief of the Mission shall see to it that the said furloughs affect the interests of the Brazilian Navy as little as possible.

5(a). O transporte de regresso de qualquer pessoa das famílias dos membros da Missão do Rio de Janeiro para Nova York será fornecido em qualquer tempo após a chegada ao Brasil, mediante pedido do Chefe da Missão. No caso do membro da Missão ser desligado de accôrdo com qualquer dos paragraphos 1 ou 3 do Artigo V antes de dois annos de serviço no Brasil, o custeio do seu transporte e de sua familia caberá ao Governo dos Estados Unidos da America, sendo a importancia já fornecida para o transporte da sua familia deduzida do dinheiro que tiver a receber do Governo Brasileiro ou, no caso de ser insufficiente, indemnizada ao Governo Brasileiro pelo proprio membro da Missão.

Post, pp 1411, 1412

6. Durante a permanencia da Missão no Brasil, o Governo do Brasil concederá, mediante pedido do Chefe da Missão, entrada livre para os artigos de uso pessoal dos membros da Missão e de suas familias; considerando-se familias os paes, mulheres, filhos menores, filhas e irmãs solteiras, uma vez que estejam morando no Brasil como parte da familia do respectivo membro da Missão.

7. Depois de dois annos de serviço na Missão, cada membro fará jús a uma licença de três mezes com vencimentos integraes em moeda brasileira, inclusive o tempo de viagem, com o direito de se ausentar do Brasil. O Chefe da Missão providenciará para que essas licenças prejudiquem o menos possivel os interesses da Marinha Brasileira.

8. Members of the Mission who become ill, shall, at the discretion of the Chief of the Mission, be placed by the Brazilian Government in the hospital that the Chief of the Mission deems suitable, after discussion with the Brazilian authorities.

9. In case of official travel or service at sea, rendered by any member of the Mission, he shall receive during such time, full pay; also allowances equivalent to those granted to the personnel of the Brazilian Navy, of the same rank, under like circumstances.

10. The officers of the Mission shall be granted the same rights and privileges as are customarily enjoyed by diplomatic representatives of corresponding rank accredited to Brazil, except with respect to the rights of importation already treated of in a preceding clause.

11. Whenever it be necessary for the official service, an automobile with a chauffeur, or a launch properly equipped, shall be placed at the disposal of the members of the Mission.

12. Suitable offices shall be placed at the disposal of the members of the Mission.

13. Each officer of the Mission shall have, as assistant or collaborator, in all his functions, a Brazilian officer designated by the Minister of Marine.

14. If this contract should be cancelled at the request of the United States of America, all the expenses connected with the return of the Mission, their families, household effects, baggage, and in the case of commissioned officers their automobiles, to the

8. Os membros da Missão que venham a adoecer, serão, a juízo do Chefe da Missão, internados pelo Governo Brasileiro no Hospital que o Chefe da Missão julgar conveniente, depois de ouvidas as autoridades brasileiras.

9. No caso de viagem ou serviço official no mar, prestado por qualquer membro da Missão, receberá elle, durante esse tempo vencimentos integraes e quantitativos equivalentes aos concedidos ao pessoal da Marinha Brasileira, de identica graduação, em condições semelhantes.

10. Serão concedidos aos Officiaes da Missão os mesmos direitos e privilegios de que gozam habitualmente os representantes diplomaticos de categoria correspondente acreditados no Brasil, excepto no que diz respeito aos direitos de importação já tratados em clausula anterior.

11. Quando fôr necessario para o serviço official, será posto á disposição dos membros da Missão, um automovel com chauffeur ou uma lancha convenientemente equipada.

12. Deverão ser postos á disposição dos membros da Missão escriptorios adequados.

13. Cada Official da Missão terá, como assistente ou collaborador, em todas as suas funções, um official brasileiro nomeado pelo Ministro da Marinha.

14. Se este contracto for rescindido a pedido dos Estados Unidos da America, todas as despesas com a volta da Missão, suas familias, objectos de casa e bagagem e, no caso dos Officiaes, seus automoveis, aos Estados Unidos da America, serão feitas

United States of America, shall be borne by that Government. If, however, it should be at the initiative of the Brazilian Government, the latter Government shall bear all the expenses connected with the return to the United States of America, of the Mission, their respective families, household effects, baggage, and in the case of commissioned officers their automobiles, according to the stipulations of paragraphs 2 and 5 of this Article; and the Brazilian Government shall, in addition, pay to each officer an amount equal to three months' pay.

ARTICLE V

1. The United States of America may, should the public interest so require, recall at any time a part or all of the members of the Mission, replacing them by other officers, chief petty officers or petty officers first class, to the satisfaction of the Brazilian Government, and the corresponding expenses shall be chargeable to the Government of the United States of America. If, at the request of the Brazilian Government, a member of the Mission should be withdrawn for a reason other than the completion of his services on the Mission, all the expenses of his return shall be chargeable to the United States of America.

2. Any member of the Mission may be relieved at the request of the Government of the United States of America after two years of service, being replaced by members of equal commission (patente) and rank agreeable to the Brazilian Government.

por esse Governo. Se, porém, o fôr por iniciativa do Governo Brasileiro, este Governo fará face a todas as despesas com o regresso aos Estados Unidos da America, da Missão, respectivas familias, objectos de casa e bagagem e, no caso dos Officiaes, seus automoveis, de accôrdo com as estipulações dos paragraphos 2 e 5 deste artigo, devendo, outrosim, o Governo Brasileiro pagar a cada official uma quantia equivalente a três mezes de vencimentos.

ARTIGO V

1. Os Estados Unidos da America poderão, se o interesse publico o exigir, retirar em qualquer tempo, parte ou todos os membros da Missão, substituindo-os por outros officiaes, sub-officiaes ou sargentos, do agrado do Governo Brasileiro, devendo as despesas respectivas correr por conta do Governo dos Estados Unidos da America. Se, a pedido do Governo Brasileiro, algum membro da Missão for retirado por outro motivo que não o da terminação dos serviços na Missão, todas as despesas com o regresso correrão por conta dos Estados Unidos da America.

Recall and replacement of members of the Mission

2. Qualquer membro da Missão poderá ser exonerado a pedido pelo Governo dos Estados Unidos da America depois de dois annos de serviço, sendo substituído por membros de igual patente e classe da conveniencia do Governo Brasileiro.

3. No member of the Mission relieved upon request before completing two years of service, shall be entitled to traveling expenses and transportation of baggage at the expense of the Brazilian Government.

4. If any member of the Mission should be obliged by illness to leave the service, the Brazilian Government shall pay the expenses of return to the United States of America in the manner provided above for members with more than two years of service.

5. If any member of the Mission, or a person in his family, should die in Brazil, the Brazilian Government shall have the body transported to such place in the United States of America as the family of the deceased may indicate. If the deceased should be a person under contract the Brazilian Government shall pay the transportation expenses of his family, household effects and baggage, and, in the case of commissioned officers, their automobiles to New York.

6. In case of replacement of a member of the Mission, all the stipulations of this agreement, except in cases of express provision to the contrary, shall apply to the member replacing him, including those specified in paragraphs 2 and 4 of Article IV.

IN WITNESS WHEREOF, the undersigned, duly authorized, sign this contract in two texts, each one in the English and Portuguese languages, at Washington, this twenty-seventh day of May, 1936.

3. Nenhum membro da Missão exonerado a pedido antes de dois annos de serviço, fará jús ás despesas de viagem e transporte de bagagem á custa do Governo Brasileiro.

4. Se algum membro da Missão fôr obrigado por doença a deixar o serviço, o Governo Brasileiro pagará as despesas de regresso aos Estados Unidos da America na forma acima estabelecida para os membros com mais de dois annos de serviço.

5. Se algum membro da Missão, ou pessoa de sua familia, fallecer no Brasil, o Governo Brasileiro fará transportar o corpo para o logar dos Estados Unidos da America que a familia do morto indicar. Se o morto fôr um dos contractados, o Governo Brasileiro pagará as despesas de viagem da familia, objectos de casa e bagagem e, no caso dos Officiaes, de seus automoveis, até Nova York.

6. No caso de substituição de um membro da Missão, todas as clausulas deste accôrdo, excepto nos casos de disposição expressa em contrario, se applicarão ao substituto, inclusive as especificadas nos paragraphos 2 e 4 do Artigo IV.

EM TESTEMUNHO DO QUE, os abaixo assignados devidamente autorizados, assignam o presente contracto em dois textos, cada um nos idiomas Inglez e Portuguez, em Washington aos vigesimo settimo dia do mez de Maio de 1936.

. CORDELL HULL

OSWALDO ARANHA

Agreement between the United States of America and Nicaragua respecting reciprocal trade. Signed at Managua, March 11, 1936; proclaimed by the President of Nicaragua, August 31, 1936; proclaimed by the President of the United States, September 1, 1936; effective, October 1, 1936.

March 11, 1936
[E. A. S. No. 95]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS it is provided in the Tariff Act of 1930 of the Congress of the United States of America, as amended by the Act of June 12, 1934, entitled "AN ACT To Amend the Tariff Act of 1930" (48 Stat. 943), as follows:

Reciprocal trade
agreement with Nica-
ragua
48 Stat 943
19 U S C § 1351

"Sec. 350. (a) For the purpose of expanding foreign markets for the products of the United States (as a means of assisting in the present emergency in restoring the American standard of living, in overcoming domestic unemployment and the present economic depression, in increasing the purchasing power of the American public, and in establishing and maintaining a better relationship among various branches of American agriculture, industry, mining, and commerce) by regulating the admission of foreign goods into the United States in accordance with the characteristics and needs of various branches of American production so that foreign markets will be made available to those branches of American production which require and are capable of developing such outlets by affording corresponding market opportunities for foreign products in the United States, the President, whenever he finds as a fact that any existing duties or other import restrictions of the United States or any foreign country are unduly burdening and restricting the foreign trade of the United States and that the purpose above declared will be promoted by the means hereinafter specified, is authorized from time to time—

Statutory provi-
sions

"(1) To enter into foreign trade agreements with foreign governments or instrumentalities thereof; and

"(2) To proclaim such modifications of existing duties and other import restrictions, or such additional import restrictions, or such continuance, and for such minimum periods, of existing customs or excise treatment of any article covered by foreign trade agreements, as are required or appropriate to carry out any foreign trade agreement that the President has entered into hereunder. No proclamation shall be made increasing or decreasing by more than 50 per centum any existing rate of duty or transferring any article between the dutiable and free lists. The proclaimed duties and other import restrictions shall apply to articles the growth, produce, or manufacture of all foreign countries, whether imported directly, or indirectly: *Provided*, That the President may suspend the application to articles the growth, produce, or manufacture of any country because of its discriminatory treatment of American commerce or because of other acts or policies which in his opinion tend to defeat the purposes set forth in this section; and the proclaimed duties and other import restrictions shall be in effect from and after such time as is specified in the proclamation. The President may at any time terminate any such proclamation in whole or in part."

Promotion of foreign
trade

WHEREAS I, Franklin D. Roosevelt, President of the United States of America, have found as a fact that certain existing duties and other import restrictions of the United States of America and the Republic of Nicaragua are unduly burdening and restricting the foreign trade of the United States of America and that the purpose declared in the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, will be promoted by a foreign trade agreement between the United States of America and the Republic of Nicaragua;

46 Stat. 708; 48 Stat.
943

Notice given

WHEREAS reasonable public notice of the intention to negotiate such foreign trade agreement was given and the views presented by persons interested in the negotiation of such agreement were received and considered;

Trade agreement
entered into.

WHEREAS, after seeking and obtaining information and advice with respect thereto from the United States Tariff Commission, the Departments of State, Agriculture, and Commerce, and from other sources, I entered into a foreign trade agreement on March 11, 1936, through my duly empowered Plenipotentiary, with the President of the Republic of Nicaragua through his duly empowered Plenipotentiary, which Agreement, including two Schedules annexed thereto, in the English and Spanish languages, is in words and figures as follows:

Purposes declared

The President of the United States of America and the President of the Republic of Nicaragua, being desirous of strengthening the traditional bonds of friendship between the two countries by maintaining the principle of equality of treatment as the basis of commercial relations and by granting mutual and reciprocal concessions and advantages for the promotion of trade, have, through their respective Plenipotentiaries, arrived at the following Agreement:

El Presidente de los Estados Unidos de América y el Presidente de la República de Nicaragua, deseosos de estrechar los vínculos tradicionales de amistad entre los dos países, por el mantenimiento del principio de igualdad de tratamiento como base de sus relaciones comerciales y por el otorgamiento de concesiones y ventajas mutuas y recíprocas para la promoción del comercio, han celebrado por medio de sus respectivos Plenipotenciarios, el siguiente Convenio:

ARTICLE I

ARTICULO I.

Enumerated imports
into Nicaragua
Post, p. 1426

Articles the growth, produce or manufacture of the United States of America, enumerated and described in Schedule I annexed to this Agreement and made a part thereof, shall, on their importation into the Republic of Nicaragua, be exempt from ordinary customs duties in excess of those set forth in the said Schedule. The said articles shall also be exempt from all other duties, taxes, fees, charges or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter

No excess
duties,
etc.

Los artículos cosechados, producidos o manufacturados en los Estados Unidos de América, enumerados y descritos en la Lista No. I anexa a este Convenio, y del cual forma parte, serán eximidos al ser importados en la República de Nicaragua, del pago de derechos ordinarios de aduana que excedan a los especificados en dicha Lista. Tales artículos estarán asimismo exentos del pago de todo otro derecho, impuesto, contribución, cargo o exacción establecidos sobre la importación o en relación con ella, que exceda de los previstos, o cuya percepción fuere exigible por leyes de la República de Nic-

under laws of the Republic of Nicaragua in force on the day of the signature of this Agreement.

ARTICLE II

Articles the growth, produce or manufacture of the Republic of Nicaragua, enumerated and described in Schedule II annexed to this Agreement and made a part thereof, shall, on their importation into the United States of America, be exempt from ordinary customs duties in excess of those set forth in the said Schedule. The said articles shall also be exempt from all other duties, taxes, fees, charges or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under the laws of the United States of America in force on the day of the signature of this Agreement.

As long as the quota provisions of the Act "to include sugar beets and sugar cane as basic agricultural commodities under the Agricultural Adjustment Act, and for other purposes", approved by the President of the United States of America on May 9, 1934, are operative, any sugar imported into the United States of America from the Republic of Nicaragua with respect to which a drawback of duty is allowed, under the provisions of Section 313 of the Tariff Act of 1930, shall not be charged against the quota established by the Secretary of Agriculture of the United States of America for the Republic of Nicaragua.

ARTICLE III

The United States of America and the Republic of Nicaragua agree that the notes included in Schedules I and II are hereby given force and effect as integral parts of this Agreement.

ARTICLE IV

Articles the growth, produce or manufacture of the United States of America or the Republic of

aragua en vigor el día en que este convenio sea firmado.

ARTICULO II.

Los artículos cosechados, producidos o manufacturados en la República de Nicaragua, enumerados y descritos en la Lista No. II anexa a este Convenio, y del cual forma parte, serán eximidos al ser importados en los Estados Unidos de América, del pago de derechos ordinarios de Aduana que excedan a los especificados en dicha Lista. Tales artículos estarán asimismo exentos del pago de todo otro derecho, impuesto, contribución, cargo o exacción establecidos sobre la importación o en relación con ella, que exceda de los previstos, o cuya percepción fuere exigible por leyes de los Estados Unidos de América en vigor el día en que este convenio sea firmado.

Mientras estén en vigor las disposiciones de cuota del Acta "para incluir remolachas y caña de azúcar como productos básicos agrícolas bajo el Agricultural Adjustment Act, y para otros fines", aprobado por el Presidente de los Estados Unidos de América el 9 de Mayo de 1934, cualquier azúcar, importado a los Estados Unidos de América de la República de Nicaragua con respecto al cual un "drawback" de derechos (de aduana) esté permitido, bajo las disposiciones de la Sección 313 del Tariff Act of 1930, no será cargado en la cuota establecida por el Secretario de Agricultura de los Estados Unidos de América para la República de Nicaragua.

ARTICULO III.

Los Estados Unidos de América y la República de Nicaragua convienen en que a las notas incluidas en las Listas I y II, se les dé por este Convenio fuerza y efectos como partes integrantes del mismo.

ARTICULO IV.

Los Artículos cosechados, producidos o fabricados en los Estados Unidos de América o en la

Specified imports
from Nicaragua.
Post, p. 1430

No excess duties,
etc.

48 Stat. 670
7 U. S. C. § 608a.

46 Stat. 693.
19 U. S. C. § 1313.

Notes in schedules
considered part of
Agreement.
Post, pp. 1428, 1430.

Internal tax exemp-
tion.

Nicaragua, shall, after importation into the other country, be exempt from all internal taxes, fees, charges or exactions other or higher than those payable on like articles of national origin or any other foreign origin.

ARTICLE V

Ad valorem duties.
Determination, etc.,
of rates
Post, pp 1426, 1430.

In respect of articles the growth, produce or manufacture of the United States of America or the Republic of Nicaragua, enumerated and described in Schedules I and II, respectively, imported into the other country, on which ad valorem rates of duty, or duties based upon or regulated in any manner by value, are or may be assessed, it is understood and agreed that the bases and methods of determining dutiable value and of converting currencies shall be no less favorable to importers than the bases and methods prescribed under presently existing laws and regulations of the Republic of Nicaragua and the United States of America, respectively.

ARTICLE VI

No quantitative regulation.

1. No prohibitions, import or customs quotas, import licenses, or any other form of quantitative regulation, whether or not operated in connection with any agency of centralized control, shall be imposed by the Republic of Nicaragua on the importation or sale of any article the growth, produce or manufacture of the United States of America enumerated and described in Schedule I, nor by the United States of America on the importation or sale of any article the growth, produce or manufacture of the Republic of Nicaragua, enumerated and described in Schedule II.

Post, p 1426.

Post, p 1430.

Exceptions.

2. The foregoing provision shall not apply to:

- (a) Prohibitions or restrictions
- (1) related to public security;
- (2) imposed on moral or human-

República de Nicaragua, estarán, después de su importación en el otro país, exentos de impuestos, contribuciones, cargos o exacciones internos, diferentes o en exceso a los exigibles sobre artículos análogos de origen nacional o de cualquier otro país extranjero.

ARTICULO V.

Con respecto a los artículos cosechados, producidos o fabricados en los Estados Unidos de América o en la República de Nicaragua, enumerados y descritos en las Listas I y II, respectivamente, importados en el otro país, sobre los cuales se impongan o puedan imponerse aforos ad valorem o derechos basados o regulados en cualquier forma por el valor, se entiende y conviene que las bases y métodos para determinar el valor sujeto a derechos y la conversión de monedas, no serán menos favorables a los importadores que las bases y métodos prescritos por las leyes y reglamentos actualmente existentes de la República de Nicaragua y de los Estados Unidos de América, respectivamente.

ARTICULO VI.

1.—Ninguna prohibición, cuota aduanera o de importación, permiso de importar o cualquier otra forma de reglamentación cuantitativa, sea que se opere o no en relación con cualquier agencia de control centralizada, será impuesta por la República de Nicaragua sobre la importación o venta de cualquier artículo cosechado, producido o fabricado en los Estados Unidos de América, enumerado y descrito en la Lista I, ni por los Estados Unidos de América sobre la importación o venta de cualquier artículo cosechado, producido o fabricado en la República de Nicaragua, enumerado y descrito en la Lista II.

2.—La disposición precedente no será aplicable a:

- (a) Prohibiciones o restricciones
- (1) las relacionadas con la seguridad pública; (2) las im-

itarian grounds; (3) designed to protect human, animal or plant life; (4) relating to prison-made goods; (5) relating to the enforcement of police or revenue laws; or

(b) Quantitative restrictions in whatever form imposed by the United States of America or by the Republic of Nicaragua on the importation or sale of any article the growth, produce or manufacture of the other country in conjunction with governmental measures operating to regulate or control the production, market supply or prices of like domestic articles, or tending to increase the labor costs of production of such articles. Whenever the Government of either country proposes to establish or change any restriction authorized by this subparagraph, it shall give notice thereof in writing to the other Government and shall afford such other Government an opportunity within thirty days after receipt of such notice to consult with it in respect of the proposed action; and if an agreement with respect thereto is not reached within thirty days following receipt of the aforesaid notice, the Government which proposes to take such action shall be free to do so at any time thereafter, and the other Government shall be free within fifteen days after such action is taken to terminate this Agreement in its entirety on thirty days' written notice.

3. It is understood that the provisions of this Article do not affect the application of measures directed against misbranding, adulteration and other fraudulent practices, such as are provided for in the pure food and drug laws of the United States of America, or the application of measures directed against unfair practices in import trade, such as are provided for in Section 337 of

puestas por razones morales o humanitarias; (3) encaminadas a proteger la vida humana, animal o vegetal; (4) relativas a mercaderías fabricadas en prisiones; (5) relacionadas con el cumplimiento de leyes de policía o fiscales; o

(b) Restricciones cuantitativas en cualquier forma, impuestas por los Estados Unidos de América o por la República de Nicaragua sobre la importación o venta de cualquier artículo cosechado, producido o fabricado en el otro país, relacionadas con disposiciones gubernativas destinadas a reglamentar o controlar la producción, el abastecimiento o los precios de artículos nacionales semejantes o tendientes a aumentar el costo de labor de la producción de tales artículos. En caso de que el Gobierno de uno cualquiera de los dos países se proponga establecer o modificar cualquiera de las restricciones autorizadas por este inciso, dará aviso por escrito de su intento al otro Gobierno y proporcionará a éste la oportunidad de discutir con él respecto a los cambios proyectados, dentro de treinta días después de recibido dicho aviso; y si no se llegase a un acuerdo dentro de los treinta días siguientes al recibo del mencionado aviso, el Gobierno que se proponga tomar tales medidas quedará en libertad de llevarlas a cabo en cualquier momento posterior; y el otro Gobierno quedará en libertad, dentro de quince días de tomadas tales medidas, de dar por terminado en todas sus partes este Convenio, dando aviso por escrito con treinta días de anticipación.

3.—Es entendido que las disposiciones de este artículo no afectan la aplicación de medidas dirigidas contra el uso de etiquetas falsas, adulteraciones y otras prácticas fraudulentas tales como las previstas en la Ley sobre Pureza de Drogas y Alimentos de los Estados Unidos de América; o la aplicación de medidas contra prácticas desleales en el comercio de importación, tales como las

Notice of proposed restriction, etc

Right to abrogate

Fraudulent practices

the United States Tariff Act of 1930.

previstas en la Sección 337 de la Tarifa aduanera del año 1930 de los Estados Unidos de América.

ARTICLE VII

ARTICULO VII.

Benefits granted where a lower rate is imposed on portion of imports, etc.

1. If the Government of the United States of America or the Republic of Nicaragua establishes or maintains any form of quantitative restriction or control of the importation or sale of any article in which the other country has an interest, or imposes a lower import duty or charge on the importation or sale of a specified quantity of any such article than the duty or charge imposed on importations in excess of such quantity, the Government taking such action will:

(a) Give public notice of the total quantity, or any change therein, of any such article permitted to be imported or sold or permitted to be imported or sold at such lower duty or charge, during a specified period;

(b) Allot to the other country for such specified period a share of such total quantity as originally established or subsequently changed in any manner equivalent to the proportion of the total importation of such article which such other country supplied during a previous representative period, unless it is mutually agreed to dispense with such allotment; and

(c) Give public notice of the allotments of such quantity among the several exporting countries, and at all times upon request advise the Government of the other country of the quantity of any such article the growth, produce or manufacture of each exporting country which has been imported or sold or for which licenses or permits for importation or sale have been granted.

Import licenses, etc

2. Neither the United States of America nor the Republic of Nicaragua shall regulate the total quantity of importations into its territory or sales therein of any article in which the other country

1.—En caso de que el Gobierno de los Estados Unidos de América o el de la República de Nicaragua establezca o mantenga cualquier forma de restricción cuantitativa o de control de la importación o venta de cualquier artículo en el cual tenga interés el otro país o imponga sobre la importación o venta de un artículo en determinada cantidad una tarifa o gravamen más bajo que los establecidos sobre importaciones en exceso de tal cantidad, el Gobierno que así proceda deberá:

(a) Dar aviso público de la cantidad total, o de cualquier cambio introducido, de cualquiera de dichos artículos, cuya importación o venta sea permitida o los cuales puedan ser importados o vendidos al mencionado tipo reducido de tarifa o gravamen, durante un período determinado;

(b) Asignar al otro país, durante tal período, una cuota de la cantidad total fijada al principio o subsiguientemente alterada en cualquier forma, equivalente a la proporción de la importación total de dicho artículo que el otro país haya abastecido durante un período anterior análogo, a menos que se acuerde mutuamente prescindir de tal asignación; y

(c) Dar aviso público de las asignaciones que de tal cantidad les corresponde a los diferentes países exportadores, y en todo tiempo, mediante solicitud, informar al Gobierno del otro país la cantidad de tal artículo, cosechado, producido o manufacturado en cualquier país exportador, que haya sido importada o vendida, o para el cual se haya concedido licencia o permiso de importación o venta.

2.—Ni los Estados Unidos de América ni la República de Nicaragua regularán la cantidad de importaciones totales a su territorio, o ventas en el mismo, de cualquier artículo en el cual tenga in-

has an interest, by import licenses or permits issued to individuals or organizations, unless the total quantity of such article permitted to be imported or sold, during a quota period of not less than three months, shall have been established, and unless the regulations covering the issuance of such licenses or permits shall have been made public before such regulations are put into force.

ARTICLE VIII

In the event that the Government of the United States of America or the Government of the Republic of Nicaragua establishes or maintains a monopoly for the importation, production or sale of a particular commodity or grants exclusive privileges, formally or in effect, to one or more agencies to import, produce or sell a particular commodity, the Government of the country establishing or maintaining such monopoly, or granting such monopoly privileges, agrees that in respect of the foreign purchases of such monopoly or agency the commerce of the other country shall receive fair and equitable treatment. To this end it is agreed that in making its foreign purchases of any product such monopoly or agency will be influenced solely by those considerations, such as price, quality, marketability, and terms of sale, which would ordinarily be taken into account by a private commercial enterprise interested solely in purchasing such product on the most favorable terms.

ARTICLE IX

The tariff advantages and other benefits provided for in this Agreement are granted by the United States of America and the Republic of Nicaragua to each other subject to the condition that if the Government of either country shall establish or maintain, directly or indirectly, any form of control of foreign exchange, it shall administer such control so

terés el otro país, por medio de licencias o permisos de importación otorgados a individuos u organizaciones, a menos que haya sido fijada la cantidad total del artículo cuya venta o importación pueda permitirse durante un período de cuota no menor de tres meses, y que los reglamentos que rijan el otorgamiento de dichas licencias o permisos hayan sido publicados antes de haber sido puestos en vigor.

ARTICULO VIII.

En caso de que el Gobierno de los Estados Unidos de América o el de la República de Nicaragua establezca o mantenga un monopolio para la importación, producción o venta de un artículo especial o conceda privilegios exclusivos en forma legal o de hecho a una o más agencias, para importar, producir o vender un artículo especial, el Gobierno del país que establezca o mantenga dicho monopolio o que conceda tales privilegios exclusivos, conviene en que en lo que respecta a las compras en el exterior de tal monopolio o agencia, el comercio del otro país deberá recibir un tratamiento justo y equitativo. Al efecto se conviene en que al hacer sus compras de cualquier producto en el exterior, tal monopolio o agencia resolverá sus operaciones en vista solamente de consideraciones tales como precio, calidad y posibilidades y condiciones de venta que ordinariamente serían tomadas en cuenta por una empresa comercial privada interesada unicamente en comprar tal producto bajo las condiciones más favorables.

Treatment of Government monopolies.

ARTICULO IX.

Las ventajas tarifarias y otros beneficios estipulados en este Convenio concedidos por los Estados Unidos de América y por la República de Nicaragua mutuamente, quedan sujetas a la condición de que si el Gobierno de cualquiera de los dos países establece o mantiene directa o indirectamente cualquier forma de control de cambio extranjero, deberá administrar

Control of foreign exchange.

as to insure that the nationals and commerce of the other country will be granted a fair and equitable share in the allotment of exchange.

With respect to the exchange made available for commercial transactions, it is agreed that the Government of each country shall be guided in the administration of any form of control of foreign exchange by the principle that, as nearly as may be determined, the share of the total available exchange which is allotted to the other country shall not be less than the share employed in a previous representative period prior to the establishment of any exchange control for the settlement of commercial obligations to the nationals of such other country.

Mutual consideration with respect to application of Article.

The Government of each country shall give sympathetic consideration to any representations which the other Government may make in respect of the application of the provisions of this Article, and if, within thirty days after the receipt of such representations, a satisfactory adjustment has not been made or an agreement has not been reached with respect to such representations, the Government making them may, within fifteen days after the expiration of the aforesaid period of thirty days, terminate this Article or this Agreement in its entirety on thirty days' written notice.

ARTICLE X

Extension of advantage, etc., granted any other country

With respect to customs duties or charges of any kind imposed on or in connection with importation or exportation, and with respect to the method of levying such duties or charges, and with respect to all rules and formalities in connection with importation or exportation, and with respect to all laws or regulations affecting the sale or use of imported goods within the country, any advantage, favor, privilege or immunity which has been or may hereafter

dicho control de manera que asegure a los nacionales, y al comercio del otro país, la obtención de una cuota justa y equitativa en la distribución de los cambios.

Con respecto al cambio que sea declarado disponible para transacciones comerciales, se conviene que el Gobierno de cada país deberá guiarse en la administración de cualquier forma de control de cambios extranjeros, por el principio de que, y tan aproximadamente como sea posible determinar, la porción del cambio total disponible que sea asignada al otro país, no deberá ser inferior a la porción correspondiente a un período representativo anterior a la época del funcionamiento del control de cambio para el arreglo de obligaciones comerciales contraídas con los nacionales del otro país.

El Gobierno de cada país prestará consideración amistosa a cualesquiera representaciones que el otro Gobierno pueda hacer con respecto a la aplicación de las estipulaciones de este artículo; y si dentro de treinta días después de recibidas tales representaciones no se ha hecho un ajuste satisfactorio, o no se ha llegado a un arreglo con respecto a tales representaciones, el Gobierno que las haga, puede, dentro de quince días después de la expiración del período antedicho de treinta días, dar por terminado este Artículo o este Convenio en su totalidad treinta días después de haberlo notificado por escrito.

ARTICULO X.

En lo concerniente a derechos aduaneros o gravámenes de cualquier clase, impuestos sobre o en relación con importaciones o exportaciones, y con respecto al método de aplicación de tales derechos o gravámenes, lo mismo que en lo referente a todos los reglamentos y formalidades relacionados con la importación o exportación, y con respecto a todas las leyes o reglamentos que afectan la venta o uso dentro del país, de las mercaderías importadas,

be granted by the United States of America or by the Republic of Nicaragua to any article originating in or destined for any third country, shall be accorded immediately and unconditionally to the like article originating in or destined for the Republic of Nicaragua or the United States of America, respectively.

ARTICLE XI

Laws, regulations of administrative authorities and decisions of administrative or judicial authorities of the United States of America or the Republic of Nicaragua, respectively, pertaining to the classification of articles for customs purposes or to rates of duty shall be published promptly in such a manner as to enable traders to become acquainted with them. Such laws, regulations and decisions shall be applied uniformly at all ports of the respective country, except as otherwise specifically provided in statutes of the United States of America relating to articles imported into Puerto Rico, and excepting any provisions specifically adopted by the Government of Nicaragua in relation to ports on the Atlantic Coast.

No administrative ruling by the United States of America or the Republic of Nicaragua effecting advances in rates of duties or in charges applicable under an established and uniform practice to imports originating in the territory of the other country, or imposing any new requirement with respect to such importations, shall be effective retroactively or with respect to articles either entered for or withdrawn for consumption prior to the expiration of thirty days after the date of publication of notice of such ruling in the usual official manner. The provisions of this paragraph do not apply to administrative

cualquier ventaja, favor, privilegio o inmunidad que haya sido o que en lo de adelante pueda ser concedido por los Estados Unidos de América o por la República de Nicaragua a cualquier artículo originario de, o destinado a un tercer país, deberá ser acordado inmediata e incondicionalmente al mismo o a ese artículo originario de o destinado a la República de Nicaragua o a los Estados Unidos de América, respectivamente.

ARTICULO XI

Las leyes, reglamentos de autoridades administrativas y resoluciones de autoridades judiciales o administrativas de los Estados Unidos de América o de la República de Nicaragua, respectivamente, concernientes a la clasificación de artículos para fines aduaneros o a aforos arancelarios, deberán ser publicadas con prontitud y en manera tal que los comerciantes puedan enterarse de ellas. Dichas leyes, reglamentos y resoluciones deberán ser aplicados con uniformidad en todos los puertos del país respectivo, excepto como se ha expresamente estipulado en estatutos de los Estados Unidos de América relativos a artículos importados en Puerto Rico; y también se exceptuarán las disposiciones que se emitan específicamente por el Gobierno de Nicaragua en lo que atañe a los puertos del litoral atlántico.

Ninguna disposición administrativa de los Estados Unidos de América o de la República de Nicaragua, que aumente los aforos o gravámenes aplicables en virtud de una práctica establecida y uniforme a las importaciones originarias del otro país, o que exija cualquier nuevo requisito con respecto a tales importaciones podrá tener efecto retroactivo ni deberá ser aplicable a artículos que hayan sido pedidos a registro, o hubiesen sido sacados de las aduanas para consumo dentro de los treinta días siguientes a la fecha de publicación de tal disposición, en la forma oficial acostumbrada. Lo dispuesto en este párrafo no es

Laws, regulations, and decisions to be published

Uniform application

Administrative rulings, etc.
No retroactive application

Anti-dumping duties, etc.

orders imposing anti-dumping duties, or relating to regulations for the protection of human, animal, or plant life, or relating to public safety, or giving effect to judicial decisions.

aplicable a las órdenes que impongan derechos contra abarrotamiento o relativas a reglamentos para la protección de la vida humana, animal o vegetal, o relativas a la seguridad pública, o para hacer cumplir resoluciones judiciales.

ARTICLE XII

Modification where rate of exchange prejudicial

In the event that a wide variation occurs in the rate of exchange between the currencies of the United States of America and the Republic of Nicaragua, the Government of either country, if it considers the variation so substantial as to prejudice the industries or commerce of the country, shall be free to propose negotiations for the modification of this Agreement or to terminate this Agreement in its entirety on thirty days' written notice.

ARTICULO XII

En caso de que ocurra una gran fluctuación en el tipo de cambio entre las monedas de los Estados Unidos de América y de la República de Nicaragua, el Gobierno de uno u otro país que considere la diferencia tan substancial que perjudique las industrias o el comercio de su país, estará en libertad de proponer negociaciones para la modificación de este Convenio o para dar por concluido este Convenio en su totalidad, previo aviso por escrito con treinta días de anticipación.

ARTICLE XIII

Documentation errors.

Greater than nominal penalties will not be imposed in the United States of America or in the Republic of Nicaragua upon importations of articles the growth, produce or manufacture of the other country because of errors in documentation obviously clerical in origin or where good faith can be established.

ARTICULO XIII

No se impondrán en la República de Nicaragua ni en los Estados Unidos de América multas mayores que las nominalmente establecidas sobre la importación de artículos cosechados, producidos, manufacturados o fabricados en el otro país, con motivo de errores en la documentación que patentemente se deban a la simple escritura o sean *LAPSUS PLUMAE* o *LAPSUS MACHINAE* (clerical errors); o cuando pueda establecerse la buena fe.

Mutual consideration with respect to customs regulations, etc.

The Government of each country will accord sympathetic consideration to, and when requested will afford adequate opportunity for consultation regarding, such representations as the other Government may make with respect to the operation of customs regulations, quantitative restrictions or the administration thereof, the observance of customs formalities, and the application of sanitary laws and regulations for the protection of human, animal, or plant life.

El Gobierno de cada país dará consideración amistosa y prestará oportunidad adecuada a las consultas con respecto a las representaciones que el otro Gobierno pueda hacer con relación a la aplicación de reglamentos aduaneros, restricciones cuantitativas o a la administración de las mismas, la observancia de formalidades aduaneras y la aplicación de leyes y reglamentos sanitarios y reglamentos para la protección de la vida humana, animal o vegetal.

ARTICLE XIV

Provisions not to apply to Philippine Islands, etc.

Except as otherwise provided in the second paragraph of this

ARTICULO XIV.

Salvo lo estipulado en contrario en el párrafo segundo de este Ar-

Article, the provisions of this Agreement relating to the treatment to be accorded by the United States of America or by the Republic of Nicaragua, respectively, to the commerce of the other country, shall not apply to the Philippine Islands, the Virgin Islands, American Samoa, the Island of Guam, or to the Panamá Canal Zone.

Subject to the reservations set forth in the third and fourth paragraphs of this Article, the provisions of Article X shall apply to articles the growth, produce or manufacture of any territory under the sovereignty or authority of the United States of America or of the Republic of Nicaragua, imported from or exported to any territory under the sovereignty or authority of the other country. It is understood, however, that the provisions of this paragraph do not apply to the Panamá Canal Zone.

The advantages now accorded or which may hereafter be accorded by the United States of America or by the Republic of Nicaragua to adjacent countries in order to facilitate frontier traffic, and advantages resulting from a customs union to which either the United States of America or the Republic of Nicaragua may become a party, shall be excepted from the operation of this Agreement.

The advantages now accorded or which may hereafter be accorded by the United States of America, its territories or possessions or the Panamá Canal Zone to one another or to the Republic of Cuba shall be excepted from the operation of this Agreement. The provisions of this paragraph shall continue to apply in respect of any advantages now or hereafter accorded by the United States of America, its territories or possessions or the Panamá Canal Zone to the Philippine Islands irrespective of any change in the political status of the Philippine Islands.

título, las disposiciones de este Convenio relativas al tratamiento que deberá acordarse por los Estados Unidos de América o por la República de Nicaragua, respectivamente, al comercio del otro país, no serán aplicables a las Islas Filipinas, Islas Vírgenes, la Samoa Americana, la Isla de Guam ni a la Zona del Canal de Panamá.

Con sujeción a las reservas expresadas en los párrafos tercero y cuarto de este Artículo, las estipulaciones del Artículo X serán aplicables a artículos cosechados, producidos o fabricados en cualquier territorio bajo la soberanía o jurisdicción de los Estados Unidos de América o de la República de Nicaragua, importados de o exportados a cualquier territorio bajo la soberanía o jurisdicción del otro país. Es entendido, sin embargo, que las disposiciones de este párrafo no son aplicables a la Zona del Canal de Panamá.

Las ventajas concedidas actualmente o que en lo futuro sean acordadas por los Estados Unidos de América o por la República de Nicaragua a países limítrofes con objeto de facilitar el comercio fronterizo, lo mismo que las ventajas que resulten de una unión aduanera de la cual los Estados Unidos de América o la República de Nicaragua puedan llegar a formar parte, quedarán excluidas en la aplicación de este Convenio.

Las ventajas concedidas en la actualidad o que en lo futuro puedan acordarse mutuamente los Estados Unidos de América, sus territorios o posesiones o la Zona del Canal de Panamá, o por los mismos a la República de Cuba, quedan excluidas de la aplicación de este Convenio. Lo dispuesto en este párrafo continuará aplicándose con respecto a cualesquier ventajas actuales o que en lo futuro sean acordadas por los Estados Unidos de América, sus territorios o posesiones o la Zona del Canal de Panamá a las Islas Filipinas, cualquiera que sea el cambio en el estado político de las Islas Filipinas.

Preferential treatment extended to territories, etc., of each other.

Anle, p 1420.

Not applicable to Canal Zone.

Advantages excepted from operation of Agreement.

The advantages now accorded or which may hereafter be accorded by the Republic of Nicaragua to the commerce of Costa Rica, El Salvador, Guatemala, Honduras or Panamá, so long as any special treatment accorded to the commerce of those countries or any of them by the Republic of Nicaragua is not accorded to any other country, shall be excepted from the operation of this Agreement.

Not applicable to police or sanitary regulations.

Unless otherwise specifically provided in this Agreement, the provisions thereof shall not be construed to apply to police or sanitary regulations; and nothing in this Agreement shall be construed to prevent the adoption of measures prohibiting or restricting the exportation of gold or silver, or to prevent the adoption of such measures as either Government may see fit with respect to the control of the export or sale for export of arms, munitions, or implements of war, and, in exceptional circumstances, all other military supplies.

ARTICLE XV

Adoption of measures impairing Agreement, adjustment

In the event that the Government of the United States of America or the Government of Nicaragua adopts any measure which, even though it does not conflict with the terms of this Agreement, is considered by the Government of the other country to have the effect of nullifying or impairing any object of the Agreement, the Government which has adopted any such measure shall consider such representations and proposals as the other Government may make with a view to effecting a mutually satisfactory adjustment of the matter.

ARTICLE XVI

Former Agreement supplanted.

The present Agreement shall, from the date on which it comes into force, supplant the Agreement between the United States of America and the Republic of

Las ventajas actuales o que en lo futuro puedan ser acordadas por la República de Nicaragua al comercio de Costa Rica, El Salvador, Guatemala, Honduras o Panamá, mientras cualquier tratamiento especial acordado al comercio de aquellos países o de cualquiera de ellos por la República de Nicaragua no sea extensivo a cualquier otro país, quedarán excluidas en la aplicación de este Convenio.

A menos que expresamente se disponga otra cosa en este Convenio, no deberá interpretarse que las estipulaciones del mismo sean aplicables a reglamentos de policía o sanitarios; y nada de lo expresado en este Convenio se interpretará de tal manera que impida la adopción de medidas que prohiban o restrinjan la exportación de oro o plata o para impedir la adopción de las medidas que uno u otro Gobierno pueda juzgar convenientes con respecto al control de la exportación o venta para la exportación de armas, pertrechos e implementos de guerra, y en circunstancias excepcionales, de todos los demás efectos militares.

ARTICULO XV.

En caso de que el Gobierno de los Estados Unidos de América o el Gobierno de Nicaragua adopte cualquier medida que aún cuando no esté en conflicto con los términos de este Convenio sea considerada por el Gobierno del otro país como nulificando o desvirtuando cualquiera de los fines de este Convenio, el Gobierno que haya adoptado tal medida deberá considerar las representaciones y propuestas que el otro Gobierno pueda hacer con la mira de efectuar un arreglo del asunto mutuamente satisfactorio.

ARTICULO XVI.

El presente Convenio deberá, desde la fecha en que entre en vigor, subrogar al Convenio entre los Estados Unidos de América y la República de Nicaragua efectua-

Nicaragua, effected by exchange of notes signed on June 11, 1924, and July 11, 1924, respectively.

do por cambio de notas firmadas el 11 de Junio de 1924 y el 11 de Julio de 1924, respectivamente.

ARTICLE XVII

The present Agreement shall come into full force on the thirtieth day following proclamation thereof by the President of the United States of America and the President of the Republic of Nicaragua, or should the proclamations be issued on different days, on the thirtieth day following the date of the later in time of such proclamations, and shall remain in force for the term of three years thereafter, unless terminated pursuant to the provisions of Article VI, Article IX, or Article XII. The Government of each country shall notify the Government of the other country of the date of its proclamation.

Unless at least six months before the expiration of the aforesaid term of three years the Government of either country shall have given to the other Government notice of intention to terminate this Agreement upon the expiration of the aforesaid term, the Agreement shall remain in force thereafter, subject to termination under the provisions of Article VI, Article IX, or Article XII, until six months from such time as the Government of either country shall have given notice to the other Government.

In witness whereof the respective Plenipotentiaries have signed this Agreement and have affixed their seals hereto.

Done in duplicate, in the English and Spanish languages, both authentic, at the City of Managua, this eleventh day of March, nineteen hundred and thirty six, A. D.

For the President of the United States of America:

ARTHUR BLISS LANE [SEAL]

For the President of the Republic of Nicaragua:

LEONARDO ARGÜELLO [SEAL]

ARTICULO XVII.

El presente Convenio deberá entrar en pleno vigor treinta días después de su promulgación por el Presidente de los Estados Unidos de América y por el Presidente de la República de Nicaragua, o, en caso que las promulgaciones sean en fechas distintas, treinta días después de la fecha de la promulgación que sea hecha por último, y deberá permanecer en vigor por el término de tres años, a menos que se dé por terminado de acuerdo con lo estipulado en los Artículos VI, IX o XII. El Gobierno de cada país deberá participar al Gobierno del otro la fecha de su promulgación.

Effective date and duration.

Siempre que al menos con seis meses de anticipación a la fecha de expiración del expresado término de tres años el Gobierno de uno u otro de los países contratantes no haya dado aviso al otro Gobierno de su intención de dar por concluído este Convenio a la expiración del susodicho término, este Convenio permanecerá en vigor de ahí en adelante sujeto a ser terminado conforme a las disposiciones de los Artículos VI, IX y XII, hasta seis meses después de la fecha en que el Gobierno de uno u otro país haya dado aviso al otro Gobierno.

Ante, pp 1416, 1419, 1422.

Termination.

En fe de lo cual los respectivos Plenipotenciarios han firmado este Convenio y le han puesto sus sellos.

Signatures.

Hecho en duplicado, en los idiomas inglés y español, siendo ambos textos auténticos, en la ciudad de Managua, a los once días del mes de Marzo de mil novecientos treinta y seis.

Por el Presidente de los Estados Unidos de América:

ARTHUR BLISS LANE [SEAL]

Por el Presidente de la República de Nicaragua:

LEONARDO ARGÜELLO [SEAL]

Schedule I

SCHEDULE I

Nicaraguan Tariff Item Number	Description of Articles	Maximum Rates of Duty. Specific Rates in Nicaraguan Córdobas
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The provisions of this Schedule will be interpreted as though they had been included in the current Nicaraguan tariff law by an amendment to that law.

Abbreviations:

G. K. Gross Kilo
N. K. Net Kilo
N. O. P. Not otherwise provided for.

367	Proprietary and patent medicines, mixed or compounded: (a) Without alcohol or containing not over 14% of alcohol	Ad valorem 40%
	(b) Containing more than 14% of alcohol; and essences of liquors	Ad valorem 60%
368	Pharmaceutical products, medicinal preparations, plasters and poultices, and empty capsules, n. o. p.	Ad valorem 30%
387	Varnishes, driers, and shellacs, prepared, of all kinds, including stains for woodwork and other applications, and enamel paint	G. K. . 08
392 (d)	All ready-mixed paints, pure or not, of whatever base, n. o. p.	G. K. . 03
503	Stockings and socks, cotton	N. K. 1. 10
799	Hides and skins, tanned and curried, dyed or prepared in any other manner: (b) Goat and kid skins, including glazed kid	N. K. . 196
	(e) Cow, horse, and other large hides, split, including colt skins	N. K. . 07
	(f) Calf skins	N. K. . 14
800	Hides and skins of all kinds, heavily varnished, lacquered, or enameled, with engravings, or embossed, or with pyrographic work	N. K. . 28
890	Steam boilers and engines of all kinds, including locomotives and tenders; traction and portable engines; motors for animal power; road making machinery; hydraulic, petroleum, gasoline, naphtha, and hot or compressed air motors, and all other articles now enumerated under this item	Free
891	Oil extracting machinery, ice making and refrigerating machinery; sawmills and woodworking machinery	Free
892	Machinery for manufacture of cigarettes, chocolate, hats, shoes, and metal working machinery, n. o. p.	Free
893	Machinery and apparatus for the manufacture of sugar, n. o. p.	Free

LISTA I

No del Arancel de Aduanas de Nicaragua	Descripción de Artículos	Aforos Máximos del Arancel de Nicaragua. Aforos Especificados en Moneda de Córdoba
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Las estipulaciones de esta Lista se interpretarán como si fueran parte de la actual ley arancelaria de Nicaragua, incluidas como una reforma de la misma.

Abreviaciones:

K. B.— Kilo Bruto.

K. N.— Kilo Neto.

N. O. P.—No especificado en otra parte.

367	Medicinas de propiedad y de patente, mezcladas o compuestas: (a) Sin alcohol o conteniendo no más del 14% de alcohol	40%
	(b) Conteniendo más del 14% de alcohol; y esencias de licores	60%
368	Productos farmacéuticos, preparaciones medicinales, emplastos, cataplasmas, y cápsulas vacías, n. o. p.	30%
387	Barnices, secantes, gomalacas, preparados, inclusive colorantes para maderas y otras aplicaciones, y pinturas de esmalte	. 08
392 (d)	Pinturas preparadas, puras o no, de cualquier base, n. o. p.	. 03
503	Medias y calcetines, de algodón	1. 10
799	Cueros y pieles, curtidos y adobados, tefidos o preparados de cualquier manera: b) Cabritillas y badanas, inclusive las satinadas.	. 196
	e) Cueros de caballo, res u otros animales grandes, divididos, incluyendo cueros de potrillo.	. 07
	f) Pielés de becerro.	. 14
800	Cueros y pieles de toda clase, bien acharolados, engomados o esmaltados con incrustaciones o en relieve o con pirograbado.	. 28
890	Calderas de vapor, motores de toda clase, incluyendo locomotoras, motores portátiles y de arrastre, motores para fuerza animal, maquinarias para hacer carreteras: Hidráulicas, con petróleo, gasolina, nafta, y motores de aire caliente o comprimido, y todos los otros artículos actualmente especificados bajo esta fracción.	libre
891	Maquinaria para extraer aceite, de hacer hielo y para refrigerar; maquinarias para aserrar y para trabajos en madera	libre
892	Maquinaria para manufacturar cigarrillos, chocolates, sombreros, zapatos, y trabajos en metal, n. o. p.	libre
893	Maquinaria y aparatos para fabricar azúcar, n. o. p.	libre

INTERNATIONAL AGREEMENTS OTHER THAN TREATIES

Schedule I—Contd.

SCHEDULE I—Continued

Nicaraguan Tariff Item Number	Description of Articles	Maximum Rates of Duty. Specific Rates in Nicaraguan Córdobas
896	Electric and electrotechnical machinery, apparatus and appliances	
	(a) Dynamos, generators, generating sets, alternators, motors and similar machinery n. o. p.	Free
Ex 896(a) bis	Dry and wet batteries, including storage, wet cell, dry cell, radio, flashlight, and all other batteries, and parts	Ad valorem 10%
Ex 896 (b)	Radio transmitting and receiving equip- ment and parts, including wireless tele- phone, telegraph, and television apparatus	Ad valorem 15%
Ex 904	Typewriters and parts	Ad valorem 10%
956	Hog lard and other lard of animal origin, however packed	N. K. . 10
964	Wheat Flour	100 N. K. 2. 10
987	Raisins, dates, figs, prunes, and similar pressed fruits, including dried apples, peaches, apricots and pears	N. K. . 12
990	Beans, dried	100 N. K. 1. 00
1042	Fruits, preserved in their own juice, in syrup, or in water, in any container	N. K. . 08
Ex 1073	Condensed milk or cream	N. K. . 07
Ex 1073	Evaporated milk or cream	N. K. . 04
Ex 1073	Dried whole milk or cream	N. K. . 10
Ex 1073	Dried skimmed milk or cream	N. K. . 07
1078	Preserved vegetables of all kinds (other than pickled) not otherwise provided for, in any container	N. K. . 10
1082 (a)	Rubber tires, combined or not with other materials, and inner tubes, for wheels of all kinds of vehicles except solid rubber tires for trucks	N. K. . 30
Ex 1082 (j)	Rubber heels	N. K. . 15

NOTE I. It is agreed that the Nicaraguan Government will not impose any certification requirement or any formality for the importation, registration, licensing and sale of pharmaceutical specialties and patent medicines which are impossible of fulfillment in the United States because of the lack of a duly authorized federal agency.

This clause does not affect the obligations assumed by Nicaragua in multi-lateral treaties and especially those relating to the manufacture and traffic in narcotic drugs, i. e., convention and protocols for the suppression of the abuse of opium and other drugs, signed at The Hague January 23, 1912; international opium convention, signed at Geneva February 19, 1925, and the convention and protocol for limiting the manufacture and regulating the distribution of narcotic drugs, signed at Geneva July 13, 1931.

LISTA I—Continúa

No del Arancel de Aduanas de Nicaragua	Descripción de Artículos	Aforos Máximos del Arancel de Nicaragua. Aforos Especificados en Moneda de Córdoba
896	Maquinaria eléctrica y electrotécnica, aparatos y herramientas. a) Dínamos, generadores, juegos generadores, alternadores, motores y maquinarias similares, n. o. p.	libre
Ex 896 (a) bis	Baterías secas y húmedas, incluyendo baterías acumuladoras, pilas húmedas, secas, pilas para radios, y para lámparas de mano y toda clase de baterías y sus partes.	
Ex 896 (b)	Ad valorem Equipos transmisores y receptores de radio, y sus partes, incluyendo teléfonos y telegrafos inalámbricos y aparatos de televisión.	10%
Ex 904	Ad valorem Máquinas de escribir y sus partes.	15%
956	Ad valorem Manteca de cerdo, y otras mantecas de origen animal, en cualquier empaque.	10%
964	K. N. Harina de trigo	. 10
987	100 K. N. Pasas, dátiles, higos, ciruelas y frutas secas similares, incluyendo manzanas, melocotones, duraznos y peras secas.	2. 10
990	K. N. Frijoles, secos.	. 12
1042	100 K. N. Frutas conservadas en su propio jugo, en almíbar o en agua, en cualquier envase.	1. 00
Ex 1073	K. N. Leche y crema condensada.	. 08
Ex 1073	K. N. Leche y crema evaporada.	. 07
Ex 1073	K. N. Leche y crema entera seca.	. 04
Ex 1073	K. N. Leche y crema seca desnatada.	. 10
1078	K. N. Legumbres conservadas de toda clase (que no sean encurtidas), n. o. p., en cualquier envase.	. 07
1082 (a)	K. N. Llantas de hule, combinadas o no con otros materiales, neumáticos, para ruedas de toda clase de vehículos, excepto llantas sólidas para camiones.	. 10
Ex 1082 (j)	K. N. Tacones de hule.	. 30
	K. N.	. 15

NOTA 1. Se acuerda que para la importación, registro, permiso o venta de especialidades farmacéuticas y medicinas patentadas, el Gobierno de Nicaragua no exigirá ningún requisito de certificación u otra formalidad que sea imposible de cumplimentar en los Estados Unidos de América por falta de una Agencia Federal debidamente autorizada.

Esta cláusula no afecta las obligaciones asumidas por Nicaragua en tratados multilaterales y especialmente aquellas que se refieren a la fabricación y comercio en drogas narcóticas, i. e. la convención y protocolos para la supresión del abuso del opio y otras drogas firmados en La Haya el 23 de enero de 1912; la convención internacional de opio, firmada en Ginebra el 19 de febrero de 1925, y la convención y protocolo para limitar la manufactura y regular la distribución de drogas narcóticas firmados en Ginebra el 13 de julio de 1931.

Schedule II.

SCHEDULE II

United States
Tariff Act of 1930
Paragraph

Description of Articles

Maximum Rates of Duty.

NOTE: The provisions of this Schedule shall be construed and given the same effect, and the application of collateral provisions of the tariff laws of the United States to the provisions of this Schedule shall be determined, insofar as may be practicable, as if each provision of this Schedule appeared respectively in the paragraph of the Tariff Act of 1930 noted in the column at the left of the respective descriptions of articles.

10	Balsam, Peru, natural and uncompounded, and not containing alcohol.	5% Ad valorem
1602	Root or ipecac, crude, natural and un-compounded, not advanced in value or condition by shredding, grinding, chipping, crushing or any other processor treatment whatever beyond that essential to proper packing and the prevention of decay or deterioration pending manufacture, and not containing alcohol	Free
1618	Bananas, green or ripe	Free
1618	Plantains, green or ripe	Free
1653	Cocoa or cacao beans, and shells thereof	Free
1654	Coffee, except coffee imported into Puerto Rico and upon which a duty is imposed under the authority of Section 319	Free
1670	Dyeing or tanning materials: Fustic wood, logwood, and Brazil wood; all the foregoing whether crude or advanced in value or condition by shredding, grinding, chipping, crushing, or any similar process, and not containing alcohol.	Free
1765	Deerskins, raw	Free
1765	Reptile skins, raw	Free
1790	Turtles	Free
1803	Cabinet woods, in the log	Free

LISTA II

Ley de Arancel
de 1930 de los
Estados Unidos
de América.
Párrafo.

Descripción de Artículos

Tarifa Máxima de derechos.

NOTA: Las disposiciones de esta lista, para su interpretación y efecto, y la aplicación a ellas de las disposiciones colaterales de las leyes de Arancel de los Estados Unidos de América serán determinadas, en cuanto fuere posible, como si cada disposición de esta lista apareciera, respectivamente en el párrafo de la ley de arancel de 1930 señalado en la columna de la izquierda de las respectivas descripciones de los artículos.

10	Bálsamos, Perú, naturales y que no tienen mezcla y que no tienen alcohol	5% Ad valorem
1602	Raíz de ipecacuana, cruda, natural y no mezclada, no aumentada en valor ó condición por picarla, molerla, astillarla o aplastarla o por cualquier otro tratamiento de preparación mayor que el necesario para su empaque adecuado y para prevenir su decadencia o deterioro antes de su manufactura, y que no tenga alcohol	Libre
1618	Bananos, verdes o maduros	Libre
1618	Plátanos, verdes o maduros	Libre
1653	Cocoa o cacao en grano y las cáscaras de éstos	Libre
1654	Café, salvo café importado a Puerto Rico y sobre el cual está impuesto un derecho bajo la autoridad de Sección 319	Libre
1670	Sustancias para teñir o curtir: maderas de fustete, palo de campeche y maderas de brasil, ya sean crudas o aumentadas de valor o condición por picarlas, molerlas, astillarlas, o por cualquier otro tratamiento, siempre que no contengan alcohol	Libre
1765	Cueros de venado, crudos	Libre
1765	Cueros de reptil, crudos	Libre
1790	Tortugas	Libre
1803	Maderas de ebanistería, en trozas	Libre

Modifications, etc.

WHEREAS such modifications of existing duties and other import restrictions and such continuance of existing customs and excise treatment as are set forth and provided for in the said Agreement and the two Schedules thereunto annexed are required and appropriate to carry out the said Agreement;

Ante, p. 1425

WHEREAS it is stipulated in Article XVII of the said Agreement that the Agreement shall come into force on the thirtieth day following proclamation thereof by the President of the United States of America and the President of the Republic of Nicaragua, or should the proclamations be issued on different days on the thirtieth day following the date of the later in time of such proclamations;

WHEREAS the said Agreement, including the two Schedules, was proclaimed by the President of the Republic of Nicaragua on August 31, 1936;

Proclamation.

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, acting under the authority conferred by the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, do hereby proclaim the said Agreement, including the said Schedules, to the end that the same and every part thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof on and after October 1, 1936, the thirtieth day following September 1, 1936, the date of this my proclamation of the said Agreement.

46 Stat 708, 48 Stat
943
19 U S C §1351.

Pursuant to the proviso in Section 350 (a) (2) of the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, I shall from time to time notify the Secretary of the Treasury of the countries with respect to which application of the duties herein proclaimed is to be suspended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this first day of September, in the year of our Lord one thousand nine hundred and [SEAL] thirty-six, and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

Commercial agreement between the United States of America and the Union of Soviet Socialist Republics continuing in force until July 13, 1937, the agreement of July 13, 1935. Effected by exchange of notes, signed July 11, 1936.

July 11, 1936
[E. A. S. No. 96]

The American Chargé d'Affaires ad interim (Henderson) to the Assistant People's Commissar for Foreign Affairs (Krestinski)

EMBASSY OF THE UNITED STATES OF AMERICA,
Moscow, July 11, 1936.

EXCELLENCY:

In accordance with the conversations which have taken place, I have the honor to confirm on behalf of my Government the agreement which has been reached between the Governments of our respective countries that the agreement regarding commercial relations between the United States of America and the Union of Soviet Socialist Republics recorded in the exchange of notes between the American Ambassador and the People's Commissar for Foreign Affairs on July 13, 1935, shall continue in force for another year, that is, until July 13, 1937.

Agreement with the Union of Soviet Socialist Republics continuing existing commercial agreement.

49 Stat. 3805.

Accept, Excellency, the renewed assurances of my highest consideration.

LOY W. HENDERSON
*Chargé d'Affaires ad interim
of the United States of America*

His Excellency

N. N. KRESTINSKI,

*Assistant People's Commissar for Foreign Affairs,
Moscow.*

*The Assistant People's Commissar for Foreign Affairs (Krestinski)
to the American Chargé d'Affaires ad interim (Henderson)*

Moscow, July 11, 1936.

MR. CHARGÉ D'AFFAIRES:

In accordance with the conversations which have taken place, I have the honor to confirm on behalf of my Government the agreement which has been reached between the Governments of our respective countries that the agreement regarding commercial relations

between the Union of Soviet Socialist Republics and the United States of America recorded in the exchange of notes between the People's Commissar for Foreign Affairs and the American Ambassador on July 13, 1935, shall continue in force for another year, that is, until July 13, 1937.

Accept, Mr. Chargé d'Affaires, the renewed assurances of my highest consideration

N. KRESTINSKI

*Assistant People's Commissar
for Foreign Affairs*

MR. LOY W. HENDERSON,
*Chargé d'Affaires ad interim
of the United States of America,
Moscow.*

*The American Chargé d'Affaires ad interim (Henderson) to the
Assistant People's Commissar for Foreign Affairs (Krestinski)*

EMBASSY OF THE UNITED STATES OF AMERICA,
Moscow, July 9, 1936.

EXCELLENCY:

I have the honor to refer to our recent conversations in regard to the prolongation of the agreement of July 13, 1935, concerning commercial relations between the United States of America and the Union of Soviet Socialist Republics and to ask you to let me know the value of articles the growth, produce, or manufacture of the United States of America which the Government of the Union of Soviet Socialist Republics intends to purchase in the United States of America during the next twelve months for export to the Union of Soviet Socialist Republics.

Accept, Excellency, the renewed assurances of my highest consideration.

LOY W. HENDERSON

*Chargé d'Affaires ad interim
of the United States of America*

His Excellency

N. N. KRESTINSKI,
*Assistant People's Commissar for Foreign Affairs,
Moscow.*

*The Assistant People's Commissar for Foreign Affairs (Krestinski)
to the American Chargé d'Affaires ad interim (Henderson)*

Moscow, July 13, 1936.

MR. CHARGÉ D'AFFAIRES:

In reply to your inquiry regarding the intended purchases by the Union of Soviet Socialist Republics in the United States of America in the course of the next twelve months, I have the honor to inform you that, according to information received by me from the People's Commissariat for Foreign Trade, the economic organizations of the Union of Soviet Socialist Republics intend to buy in the United States of America in the course of the next twelve months American goods in the amount of at least thirty million dollars.

Accept, Mr. Chargé d'Affaires, the renewed assurances of my highest consideration

N. KRESTINSKI
*Assistant People's Commissar
for Foreign Affairs*

MR. LOY W. HENDERSON,
*Chargé d'Affaires ad interim
of the United States of America,
Moscow.*

May 18, 1936
[E. A. S. No. 97]

Agreement between the United States of America and Finland respecting reciprocal trade. Signed at Washington, May 18, 1936; approved by the President of the Republic of Finland, October 2, 1936; proclaimed by the President of the United States, October 3, 1936; effective November 2, 1936.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Reciprocal trade
agreement with Fin-
land
48 Stat. 943.
19 U. S. C. §1351.

WHEREAS it is provided in the Tariff Act of 1930 of the Congress of the United States of America, as amended by the Act of June 12, 1934, entitled "AN ACT To amend the Tariff Act of 1930" (48 Stat. 943), as follows:

Statutory provi-
sions.

"Sec. 350. (a) For the purpose of expanding foreign markets for the products of the United States (as a means of assisting in the present emergency in restoring the American standard of living, in overcoming domestic unemployment and the present economic depression, in increasing the purchasing power of the American public, and in establishing and maintaining a better relationship among various branches of American agriculture, industry, mining, and commerce) by regulating the admission of foreign goods into the United States in accordance with the characteristics and needs of various branches of American production so that foreign markets will be made available to those branches of American production which require and are capable of developing such outlets by affording corresponding market opportunities for foreign products in the United States, the President, whenever he finds as a fact that any existing duties or other import restrictions of the United States or any foreign country are unduly burdening and restricting the foreign trade of the United States and that the purpose above declared will be promoted by the means hereinafter specified, is authorized from time to time—

"(1) To enter into foreign trade agreements with foreign governments or instrumentalities thereof; and

"(2) To proclaim such modifications of existing duties and other import restrictions, or such additional import restrictions, or such continuance, and for such minimum periods, of existing customs or excise treatment of any article covered by foreign trade agreements, as are required or appropriate to carry out any foreign trade agreement that the President has entered into hereunder. No proclamation shall be made increasing or decreasing by more than 50 per centum any existing rate of duty or transferring any article between the dutiable and free lists. The proclaimed duties and other import restrictions shall apply to articles the growth, produce, or manufacture of all foreign countries, whether imported directly, or indirectly: *Provided*, That the President may suspend the application to articles the growth, produce, or manufacture of any country because of its discriminatory treatment of American commerce or because of other acts or policies which in his opinion tend to defeat the purposes set forth in this section; and the proclaimed duties and other import

restrictions shall be in effect from and after such time as is specified in the proclamation. The President may at any time terminate any such proclamation in whole or in part."

WHEREAS, I, Franklin D. Roosevelt, President of the United States of America, have found as a fact that certain existing duties and other import restrictions of the United States of America and the Republic of Finland are unduly burdening and restricting the foreign trade of the United States of America and that the purpose declared in the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, will be promoted by a foreign trade agreement between the United States of America and the Republic of Finland;

Promotion of foreign trade.

46 Stat. 706; 48 Stat. 943.

WHEREAS reasonable public notice of the intention to negotiate such foreign trade agreement was given and the views presented by persons interested in the negotiation of such agreement were received and considered;

Notice given.

WHEREAS, after seeking and obtaining information and advice with respect thereto from the United States Tariff Commission, the Departments of State, Agriculture, and Commerce, and from other sources, I entered into a foreign Trade Agreement on May 18, 1936, through my duly empowered Plenipotentiary, with the President of the Republic of Finland, through his duly empowered Plenipotentiary, which Agreement, including two Schedules annexed thereto, in the English and Finnish languages, is in words and figures as follows:

Trade agreement entered into.

The President of the United States of America and the President of the Republic of Finland, being desirous of strengthening the traditional bonds of friendship between the two countries by maintaining the principle of equality of treatment as the basis of commercial relations and by granting mutual and reciprocal concessions and advantages for the promotion of trade, have through their respective Plenipotentiaries arrived at the following Agreement:

Amerikan Yhdysvaltojen Presidentti ja Suomen Tasavallan Presidentti, haluten lujittaa molempien maiden välisiä perinnäisiä ystävyyssiteitä pitämällä samanarvoisen kohtelun periaatteita kaupallisten suhteiden pohjana sekä suomalla molemminpuolisia ja vastavuoroisia myönnytyksiä ja etuja kaupan edistämiseksi, ovat asianomaisten täysivaltainen edustajiensa kautta tehneet seuraavan sopimuksen:

Purposes declared.

ARTICLE I

I ARTIKLA

Articles the growth, produce or manufacture of the United States of America, enumerated and described in Schedule I annexed to this Agreement and made a part thereof, shall, on their importation into Finland, be exempt from ordinary customs duties in excess of those set forth and provided for in the said Schedule. The said articles shall also be exempt from all other

Amerikan Yhdysvaltojen tavaroiden, luonnon- tai teollisuustuotteiden, jotka on mainittu ja esitetty luettelossa I, joka on liitetty tähän sopimukseen ja on sen osa, tulee, niitä Suomeen tuotaessa, olla vapaita varsinaisista tulleista, jotka ylittävät ne määrät, mitkä mainitussa luettelossa on ilmoitettu ja määrätty. Mainitut tavarat ovat niinkään vapaita kaikista muista tulleista,

Enumerated imports into Finland.

Post, p. 1448.

No excess duties, etc.

duties, taxes, fees, charges or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement, or required to be imposed thereafter, under laws of Finland in force on the day of the signature of this Agreement.

ARTICLE II

Specified imports
from Finland.
Post, p. 1452.

Articles the growth, produce or manufacture of Finland, enumerated and described in Schedule II annexed to this Agreement and made a part thereof, shall, on their importation into the United States of America, be exempt from ordinary customs duties in excess of those set forth and provided for in the said Schedule. The said articles shall also be exempt from all other duties, taxes, fees, charges or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement, or required to be imposed thereafter, under laws of the United States of America in force on the day of the signature of this Agreement.

No excess duties,
etc.

veroista, maksuista, kuluista tai rasituksista, joita kannetaan tavaroita tuotaessa tai tuontiin liittyen, paitsi niistä, jotka on määrätty tämän sopimuksen allekirjoittamispäivänä tai joiden määräämistä sen jälkeen vaaditaan tämän sopimuksen allekirjoittamispäivänä Suomessa voimassaolevien lakien nojalla.

II ARTIKLA

Suomen tavaroiden, luonnon- tai teollisuustuotteiden, jotka on mainittu ja esitetty luettelossa II, mikä on liitetty tähän sopimukseen ja on sen osa, tulee, niitä Amerikan Yhdysvaltoihin tuotaessa, olla vapaita varsinaisista tulleista, jotka ylittävät ne maarat, mitkä mainitussa luettelossa on ilmoitettu ja määrätty. Mainitut tavarat ovat niinikään vapaita kaikista muista tulleista, veroista, maksuista, kuluista tai rasituksista, joita kannetaan tavaroita tuotaessa tai tuontiin liittyen, paitsi niistä, jotka on määrätty tämän sopimuksen allekirjoittamispäivänä tai joiden määräämistä sen jälkeen vaaditaan tämän sopimuksen allekirjoittamispäivänä Amerikan Yhdysvalloissa voimassaolevien lakien nojalla.

ARTICLE III

Internal taxation

The provisions of Articles I and II of this Agreement shall not prevent the Government of either country from imposing at any time on the importation of any product a charge equivalent to an internal tax imposed in respect of a like domestic product or in respect of a commodity from which the imported product has been manufactured or produced in whole or in part.

III ARTIKLA

Tämän sopimuksen I ja II artiklan määräykset eivät estä jommankumman maan hallitusta milloin tahansa minkä tahansa tuotteen tuonnille määräämistä maksua, joka vastaa samanlaatukselle kotimaiselle tuotteelle tai sellaiselle tavaralle, josta maahan tuotu tuote kokonaan tai osittain on valmistettu tai tuotettu, asetettua sisäistä veroa.

ARTICLE IV

Notes in schedules
considered part of
Agreement.
Post, pp. 1448, 1452.

The United States of America and Finland agree that the notes included in Schedules I and II are hereby given force and effect as integral parts of this Agreement.

IV ARTIKLA

Amerikan Yhdysvallat ja Suomi sopivat siitä, että luetteloihin I ja II sisältyvät muistutukset ovat voimassa tämän sopimuksen olennaisina osina.

ARTICLE V

Articles the growth, produce or manufacture of the United States of America or Finland, shall, after importation into the other country, be exempt from all internal taxes, fees, charges or exactions other or higher than those payable on like articles of national origin or any other foreign origin.

ARTICLE VI

In respect of articles the growth, produce or manufacture of the United States of America or Finland, enumerated and described in Schedules I and II, respectively, imported into the other country, on which ad valorem rates of duty, or duties based upon or regulated in any manner by value, are or may be assessed, it is understood and agreed that the bases and methods of determining dutiable value and of converting currencies shall be no less favorable to importers than the bases and methods prescribed under laws and regulations of Finland and the United States of America, respectively, in force on the day of signature of this Agreement.

ARTICLE VII

No prohibitions, import or customs quotas, import licenses, or any other form of quantitative regulation, whether or not operated in connection with any agency of centralized control, shall be imposed by Finland on the importation or sale of any article the growth, produce or manufacture of the United States of America enumerated and described in Schedule I, except as specifically provided for in that Schedule, nor by the United States of America on the importation or sale of any article the growth, produce or manufacture of Finland enumerated and described in Schedule II.

The foregoing provision shall not apply to quantitative restrictions in whatever form imposed by

V ARTIKLA

Amerikan Yhdysvaltojen tai Suomen tavarat, luonnon- tai teollisuustuotteet ovat, senjälkeen kuin ne on tuotu toiseen maahan, vapaita kaikista muista tai korkeammista sisäisistä veroista, maksuista, kuluista tai rasituksista, paitsi niistä, jotka maksetaan samanlaatuista, kotimaista tai mitä hyvänsä muuta vierasta alkuperää olevista tavaroista.

Internal tax exemption.

VI ARTIKLA

Amerikan Yhdysvaltojen tai Suomen tavaroiden, luonnon- tai teollisuustuotteiden suhteen, jotka on mainittu ja esitetty luetteloissa I ja vastaavasti II ja jotka on tuotu toiseen maahan ja joille on määrätty tai voidaan määrätä arvotulleja tai arvoon perustuvia taikka jollakin tavoin niiden arvosta johdettavia tulleja, on edellytetty ja sovittu, että perusteet ja menetelmät tullausarvon määrittämiseksi ja valuuttojen laskemiseksi eivät saa olla vähemmän edulliset tuojille kuin Suomessa ja vastaavasti Amerikan Yhdysvalloissa tämän sopimuksen allekirjoittamispäivänä voimassa olevien lakien ja säädösten nojalla määrätty perusteet ja menetelmät.

Ad valorem duties. Determination, etc., of rates

Post, pp. 1448, 1452

VII ARTIKLA

Mitään kieltoja, tuonti- tai tulikiintiöitä, tuontilupia, tai minkään muun laatuista määrää koskevia säännöksiä, toimeenpantakoonpa ne jonkin keskusvalvontaelimen välityksellä tai ilman sitä, ei Suomi saa asettaa luettelossa I mainittujen ja esitettyjen Amerikan Yhdysvaltojen tavaroiden, luonnon- tai teollisuustuotteiden tuonnille tai myynnille, paitsi mitä erikoisesti on määrätty mainituissa luetteloissa, eikä Amerikan Yhdysvallat luettelossa II mainittujen ja esitettyjen Suomen tavaroiden, luonnon- tai teollisuustuotteiden tuonnille tai myynnille.

No quantitative regulation.

Post, p. 1448.

Post, p. 1452.

Exceptions.

Edellistä määräystä ei sovelleta mihinkään määrää koskeviin rajoituksiin, joita Amerikan Yhdys-

Notice of proposed restriction, etc.

either country on the importation or sale of any article the growth, produce or manufacture of the other country in conjunction with governmental measures operating to regulate or control the production, market supply or prices of like domestic articles, or tending to increase the labor costs of production of such articles. Whenever the Government of either country proposes to establish or change any restriction authorized by this paragraph, it shall give notice thereof in writing to the other Government and shall afford such other Government an opportunity within thirty days after receipt of such notice to consult with it with respect to the proposed action; and if an agreement with respect thereto is not reached within thirty days following receipt of the aforesaid notice, the Government which proposes to take such action shall be free to do so at any time thereafter, and the other Government shall be free within fifteen days after such action is taken to terminate this Agreement in its entirety on thirty days' written notice.

vallat tai Suomi ovat määränneet toisen maan tavaroiden, luonnon- tai teollisuustuotteiden tuonnille tai myynnille niiden hallituksen toimenpiteiden yhteydessä, joilla säännöstellään tai valvotaan samanlaisten kotimaassa valmistettujen tavaroiden tuotantoa, jakelua tai hintoja, taikka pyritään suurentamaan niiden tuotannon työ kustannuksia. Milloin hyvänsä jommankumman maan hallitus aikoo ryhtyä johonkin tämän artiklan kohdan sallimaan rajoitukseen tai tehdä siihen muutoksia, on sen annettava siitä kirjallisesti tieto toisen maan hallitukselle sekä suotava tälle toiselle hallitukselle tilaisuus kolmenkymmenen päivän kuluessa sellaisen ilmoituksen saamisesta neuvotella kanssaan aiotusta toimenpiteestä. Jollei asiassa päästä sopimukseen kolmenkymmenen päivän kuluessa edellä mainitun ilmoituksen saamisesta lukien, on sillä hallituksella, joka aikoo sellaiseen toimenpiteeseen ryhtyä, oikeus milloin hyvänsä sen jälkeen tehdä se, ja toisen maan hallituksella on oikeus viidentoista päivän kuluessa sen jälkeen, kun sellaiseen toimenpiteeseen on ryhdytty, irtisanoa tämä sopimus kokonaisuudessaan kirjallisesti kolmenkymmenen päivän irtisanomisajalla.

ARTICLE VIII

Benefits granted where a lower rate is imposed on portion of imports, etc.

1. If the Government of the United States of America or the Government of Finland establishes or maintains any form of quantitative restriction or control of the importation or sale of any article in which the other country has an interest, or imposes a lower import duty or charge on the importation or sale of a specified quantity of any such article than the duty or charge imposed on importations in excess of such quantity, the Government taking such action shall:

(a) Give public notice of the total quantity, or any change therein, of any such article permitted to be imported or sold, or permitted to be imported or sold

VIII ARTIKLA

1. Jos Amerikan Yhdysvaltojen tai Suomen hallitus määrää tai ylläpitää minkälaisia tahansa minkä sellaisen tavaran tuontiin tai myyntiin tahansa kohdistuvia määriä koskevia rajoituksia tai valvontatoimenpiteitä, joka toista maata kiinnostaa, tai määrää alhaisemman tuontitullin tai maksun mille tahansa sellaisen tavaran erikoisesti mainitun paljouden määrän tuonnille tai myynnille, kuin mikä tulli tai maksu on määrätty sellaisen määrän yli tapahtuvan määrän tuonnille, niin hallitus, joka tähän ryhtyy:

(a) antaa julkisen ilmoituksen siitä sellaisen tavaran kokonaismäärästä tai mistä tahansa siihen tehdystä muutoksesta, joka sallitaan tuoda tai myydä tai sallitaan

at such lower duty or charge, during a specified period;

(b) Unless otherwise mutually agreed, allot to the other country for such specified period a share of such total quantity as originally established, or subsequently changed in any manner, equivalent to the proportion of the total importation of such article which such other country supplied during a previous period, such period to be such as to result in a fair and equitable allotment to the other country; and

(c) Give public notice of the allotments of such quantity among the several exporting countries, and at all times upon request advise the Government of the other country of the quantity of any such article the growth, produce or manufacture of each exporting country which has been imported or sold or for which licenses or permits for importation or sale have been granted.

2. Neither the United States of America nor Finland shall regulate the total quantity of importations into its territory or sales therein of any article in which the other country has an interest, by import licenses or permits issued to individuals or organizations, unless the total quantity of such article permitted to be imported or sold, during a quota period of not less than three months, shall have been established, and unless the regulations covering the issuance of such licenses or permits shall have been made public before such regulations are put into force.

ARTICLE IX

In the event that the Government of the United States of America or the Government of Finland establishes or maintains a monopoly for the importation, production or sale of a particular commodity or grants exclusive privileges, formally or in effect, to one or more agencies to import, produce or sell a particular commodity, the Government of the country establishing or maintain-

tuoda tai myydä tällä alhaisemalla tullilla tai maksulla määrätyn ajanjakson kuluessa.

(b) jakaa toiselle maalle täksi määrätyn ajaksi sellaisen osan tästä alunperin määrätystä tai millä tavoin tahansa myöhemmin muutetusta kokonaismäärästä, joka vastaa sitä tällaisen tavaran kokonaistuonnin osaa, jonka tämä toinen maa on tuonut varhaisempaa ajanjaksona, joka on sellainen, että sen perusteella tämä toinen maa saa sopivan ja kohtuullisen kiintiön, ellei molempinpuolisesti ole toisin sovittu.

(c) antaa julkisen ilmoituksen tämän määrän jaosta eri vientimaiden kesken ja ilmoittaa aina pyydettyä toisen maan hallitukselle jokaisen tällaisen kunkin vientimaan tavaran, luonnon- tai teollisuustuotteen määrästä, mikä on tuotu tai myyty tai minkä tuomiseen tai myymiseen on myönnetty lupia tai todistuksia.

2. Amerikan Yhdysvallat ja Suomi eivät saa säännöstellä minkään sellaisen tavaran tuonnin tai myynnin kokonaismäärää alueellaan, joka kiinnostaa toista maata, yksityisille tai järjestöille annetuilla tuontiluvilla tai -todistuksilla, jollei tämän tuotavaksi tai myytäväksi sallitun tavaran kokonaismäärää vähintään kolmen kuukauden pituiseksi kiintiöajaksi ole määrätty, ja jollei sellaisten lupien tai todistusten antamista koskevia määräyksiä ole tehty julkisesti tunnetuiksi ennen määräysten voimaansaapoa.

Import licenses, etc.

IX ARTIKLA

Jos Amerikan Yhdysvaltojen tai Suomen hallitus perustaa monopolin tai pitää sitä voimassa määrätyn tavaran tuontia, valmistusta tai myyntiä varten tai luovuttaa yksinomaisia, muodollisia tai todellisia, etuoikeuksia yhdelle tai useammalle elimelle tuoda, valmistaa tai myydä määrättyä tavaraa, suostuu sen maan hallitus, joka perustaa tällaisen monopolin tai pitää sitä voimassa

Treatment of Government monopolies

ing such monopoly, or granting such monopoly privileges, agrees that in respect of the foreign purchases of such monopoly or agency the commerce of the other country shall receive fair and equitable treatment. To this end it is agreed that in making its foreign purchases of any product such monopoly or agency will be influenced solely by those considerations, such as price, quality, marketability, and terms of sale, which would ordinarily be taken into account by a private commercial enterprise interested solely in purchasing such product on the most favorable terms.

ARTICLE X

Control of foreign exchange.

The tariff advantages and other benefits provided for in this Agreement are granted by the United States of America and Finland to each other subject to the condition that if the Government of either country shall establish or maintain, directly or indirectly, any form of control of foreign exchange, it shall administer such control so as to insure that the nationals and commerce of the other country will be granted a fair and equitable share in the allotment of exchange.

With respect to the exchange made available for commercial transactions, it is agreed that the Government of each country shall be guided in the administration of any form of control of foreign exchange by the principle that, as nearly as may be determined, the share of the total available exchange which is allotted to the other country shall not be less than the share employed in a previous representative period, prior to the establishment of any exchange control, for the settlement of commercial obligations to the nationals of such other country.

Mutual consideration of representations in respect of application of Article.

The Government of each country shall give sympathetic consideration to any representations which the other Government may make in respect of the application of the provisions of this Article.

tai luovuttaa monopolioikeuksia siihen, että toisen maan kauppa saa oikeudenmukaisen ja tasapuolisen kohtelun tällaisen monopolin tai elimen ulkomaisten ostojen suhteen. Tätä tarkoitusta varten on sovittu, että kyseiset monopolit tai elimet, ostaessaan mitä hyvänsä tavaraa ulkomailta, toimivat yksinomaan sellaisten vaikuttimien kuin hinnan, laadun, markkinakelpoisuuden ja myyntiehtojen mukaan, jotka sellainen yksityinen kauppayritys tavallisesti ottaa huomioon, jota kiinnostaa yksinomaan tällaisen tavaran ostaminen mahdollisimman edullisin ehdoin.

X ARTIKLA

Amerikan Yhdysvallat ja Suomi ovat myöntäneet toisilleen tassä sopimuksessa edellytetyt tariffimyönnytykset ja muut edut ehdolla, että jos jommankumman maan hallitus ottaa käytäntöön tai pitää voimassa, välillisesti tai välittömästi, minkälaista ulkomaisen valuutan kaupan valvontaa tahansa, se hoitaa tätä valvontaa turvatakseen, että toisen maan kansalaisille ja kaupalle taataan kohtuullinen ja oikeudenmukainen osa valuutanjakelussa.

Kaupallisiin toimiin käytettävään valuuttaan nähden on sovittu, että kummankin maan hallitus pitää ulkomaisen valuutan kaupan kaikenlaisen valvonnan toimeenpanossa ohjeenaan sitä periaatetta, että, niin tarkoin kuin voidaan määrätä, koko käytettävänä olevasta valuuttamäärästä toiselle maalle jaettava osa ei saa olla pienempi kuin osa, joka on käytetty jonakin edellisellä edustavana ajanjaksona ennen valuuttakaupan valvonnan käytäntöönottamista kauppasaatavien maksamiseksi tämän toisen maan kansalaisille.

Kummankin maan hallitus ottaa hyvántahtoisesti harkittavakseen kaikki esitykset, joita toisen maan hallitus saattaa tehdä tämän artiklan määräyksien soveltamiseksi.

ARTICLE XI

With respect to (1) customs duties or charges of any kind imposed on or in connection with importation or exportation; (2) the method of levying such duties or charges; (3) all rules and formalities in connection with importation or exportation; and (4) all laws or regulations affecting the sale or use of imported goods within the country, any advantage, favor, privilege or immunity which has been or may hereafter be granted by the United States of America or Finland to any article originating in or destined for any third country, shall be accorded immediately and unconditionally to the like article originating in or destined for Finland or the United States of America, respectively.

The provisions of the first paragraph of this Article shall not extend:

(1) to the treatment which is accorded by the United States of America to the commerce of Cuba under the provisions of the Commercial Convention concluded by the United States and Cuba on December 11, 1902, or any other commercial agreement thereafter concluded by the United States with Cuba; or to the advantages now accorded or which may hereafter be accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another or to the Republic of Cuba. This provision shall continue to apply in respect of any advantages now or hereafter accorded by the United States of America, its territories or possessions or the Panama Canal Zone to the Philippine Islands irrespective of any change in the political status of the Philippine Islands;

(2) to the benefits which either country has accorded, or may accord, to its neighboring states in order to facilitate local traffic;

XI ARTIKLA

Mitä tulee kaikenlaisiin tuonnista tai viennistä tai niiden yhteydessä kannettaviksi määrättyihin tulleihin ja maksuihin ja mitä tulee sellaisten tullien ja maksujen kantotapaan, samoin kuin kaikkiin tuonnin ja viennin yhteydessä esiintyviin sääntöihin ja muodollisuuksiin, sekä mitä tulee kaikkiin lakeihin ja säädöksiin, jotka vaikuttavat tuotujen tavaroiden myyntiin tai käyttöön maassa, annetaan jokainen hyöty, etu, etuoikeus tai erivapaus, jonka Amerikan Yhdysvallat tai Suomi on myöntänyt tai saattaa vastaisuudessa myöntää mille kolmannelle maasta peräisin olevalle tai sinne tarkoitettulle tavaralle tahansa, viipymättä ja ehdoitta Suomesta tai vastaavasti Amerikan Yhdysvalloista peräisin olevalle tai sinne tarkoitettulle samanlaiselle tavaralle.

Tämän artiklan ensimmäisen kappaleen määräykset eivät koske:

(1) kohtelua, jonka Yhdysvallat myöntävät Kuuban kaupalle Yhdysvaltojen ja Kuuban kesken 11 päivänä joulukuuta 1902 tehdyn tai minkä tahansa muun Yhdysvaltojen ja Kuuban kesken tämän jälkeen tehdyn kauppasopimuksen määräysten nojalla, taikka niitä etuja, jotka Amerikan Yhdysvallat, niiden alueet tai alusmaat tahi Panaman kanavavyöhyke nykyään suovat tai vastedes saattavat suoda keskenään toisilleen tai Kuuban tasavallalle. Tämä määräys jää edelleen voimaan mihin tahansa etuihin nähden, jotka Amerikan Yhdysvallat, niiden alueet tai alusmaat tahi Panaman kanavavyöhyke nykyään tai vastedes suovat Filippiineille, huolimatta millaisista tahansa muutoksista Filippiinien poliittisessa asemassa;

(2) etuja, jotka jompikumpi maa on myöntänyt tai vastedes myöntää naapurivaltioilleen paikallisen liikenteen helpottamiseksi;

Extension of advantages, etc., granted any other country.

Exceptions

United States commerce with Cuba

33 Stat. 2136.

Territories, possessions, etc

Neighboring states.

Commerce of Finland with Estonia

(3) to the treatment which Finland accords or may hereafter accord to the commerce of Estonia.

(3) kohtelua, jonka Suomi nyt tai vastedes myöntää Viron kaupalle.

ARTICLE XII

XII ARTIKLA

Documentation errors

Greater than nominal penalties will not be imposed in the United States of America or in Finland upon importations of articles the growth, produce or manufacture of the other country because of errors in documentation obviously clerical in origin or where good faith can be established.

Amerikan Yhdysvalloissa ja Suomessa ei määrätä suurempia kuin nimellisiä rangaistuksia toisen maan tavaroita, luonnon- tai teollisuustuotteita maahan tuotaessa sellaisista asiakirjoissa olevista virheellisyyksistä, jotka ilmeisesti johtuvat kirjoitusvirheestä tai joista todetaan, että on toimittu hyvässä uskossa.

Mutual consideration with respect to customs regulations, etc

The Government of each country will accord sympathetic consideration to, and when requested afford adequate opportunity for consultation regarding, such representations as the other Government may make with respect to the operation of customs regulations, quantitative restrictions or the administration thereof, the observance of customs formalities, and the application of sanitary laws and regulations for the protection of human, animal, or plant life.

Kummankin maan hallitus ottaa hyvántahtoisesti harkittavakseen sellaiset esitykset, joita toinen hallitus saattaa tehdä ja järjestää pyynnosta riittävän tilaisuuden neuvotella niistä, mikäli ne koskevat tullimääräysten täytäntöpanoa, määrää koskevia rajoituksia tai niiden käyttöä, tullimuodollisuuksien noudattamista ja terveydenhoitolakien sekä ihmisten, eläinten tai kasvien elämän suojelua tarkoittavien määräysten soveltamista.

Sanitary regulations.

In the event that the Government of either country makes representations to the Government of the other country in respect of the application of any sanitary law or regulation for the protection of human, animal, or plant life, and if there is disagreement with respect thereto, a committee of technical experts on which each Government will be represented shall, on the request of either Government, be established to consider the matter and to submit recommendations to the two Governments.

Mikäli jommankumman maan hallitus toisen maan hallitukselle tekee minkä tahansa terveydenhoitolain tai ihmisten, eläinten tai kasvien elämän suojelua tarkoittavan määräyksen soveltamista koskevan esityksen ja mikäli siitä on erimielisyyttä, asetetaan jommankumman hallituksen pyynnöstä teknillisistä asiantuntijoista kokoonpantu toimikunta, jossa kummankin hallituksen on oltava edustettuna, harkitsemaan asiaa ja esittämään ehdotuksia molemmille hallituksille.

ARTICLE XIII

XIII ARTIKLA

Modification where rate of exchange prejudicial

In the event that a wide variation occurs in the rate of exchange between the currencies of the United States of America and Finland, the Government of either country, if it considers the variation so substantial as to prejudice the industries or commerce of the country, shall be free to propose negotiations for the modification of this Agreement or to terminate

Siinä tapauksessa, että huomattava vaihtelu tapahtuu Amerikan Yhdysvaltojen ja Suomen valuuttojen välisissä kurssissa, jommankumman maan hallituksella on oikeus, jos se pitää vaihtelua niin oleellisenä, että se on vahingoksi maan teollisuudelle tai kaupalle, ehdottaa neuvotteluihin ryhtymistä tämän sopimuksen muuttamiseksi tai lopettaa koko

this Agreement in its entirety on thirty days' written notice.

tämä sopimus kolmenkymmenen päivän kuluttua siitä kuin kirjallinen irtisanominen on tapahtunut.

ARTICLE XIV

Laws, regulations of administrative authorities and decisions of administrative or judicial authorities of the United States of America or Finland, respectively, pertaining to the classification of articles for customs purposes or to rates of duty shall be published promptly in such a manner as to enable interested persons to become acquainted with them. Such laws, regulations and decisions shall be applied uniformly at all ports of the respective country, except as otherwise specifically provided in statutes of the United States of America relating to articles imported into Puerto Rico.

XIV ARTIKLA

Amerikan Yhdysvaltojen tai vastaavasti Suomen lait, hallinto-^{Publication of laws, regulations, and decisions.}viranomaisten säädökset ja hallintotai oikeusviranomaisten päätökset, jotka koskevat tavaroiden luokittelua tullausta varten taikka tullimääriä, julkaistaan viipymättä sillä tavoin, että kiinnostuneiden henkilöiden on mahdollista tutustua niihin. Sellaista lakeja, säädöksiä ja päätöksiä sovelletaan yhtäläisesti asianomaisen maan kaikissa satamissa, paitsi silloin, kun erikseen on toisin määrätty Amerikan Yhdysvaltojen säännöksissä, jotka koskevat Puerto Ricoon tuotuja tavaroita.

ARTICLE XV

Except as otherwise provided in the second paragraph of this Article, the provisions of this Agreement relating to the treatment to be accorded by the United States of America and Finland, respectively, to the commerce of the other country, shall not apply to the Philippine Islands, the Virgin Islands, American Samoa, the Island of Guam, or to the Panama Canal Zone.

The provisions of this Agreement regarding most-favored-nation treatment shall apply to articles the growth, produce or manufacture of any territory under the sovereignty or authority of the United States of America or Finland, imported from or exported to any territory under the sovereignty or authority of the other country. It is understood, however, that the provisions of this paragraph do not apply to the Panama Canal Zone.

XV ARTIKLA

Lukuunottamatta mitä tämän artiklan toisessa kappaleessa tosin on määrätty, ei tämän sopimuksen määräyksiä siitä kohtelusta, jonka Amerikan Yhdysvallat ja vastaavasti Suomi myöntää toisen maan kaupalle, sovelleta Filippiineihin, Neitsytsaariin, Amerikan Samoasaariin, Guamin saareen eikä Panaman kanavavyöhykkeeseen.

Tässä sopimuksessa olevia, suosituimmuutta koskevia määräyksiä sovelletaan minkä tahansa Amerikan Yhdysvaltojen tai Suomen suvereniteetin tai herruuden alaisen alueen tavaroihin, luonnon- tai teollisuustuotteisiin, jotka tuodaan miltä tahansa toisen maan suvereniteetin tai herruuden alaiselta alueelta tai viedään sinne. On kuitenkin sovittu siitä, ettei tämän kappaleen määräyksiä sovelleta Panaman kanavavyöhykkeeseen.

ARTICLE XVI

Nothing in this Agreement shall be construed to prevent the adoption of measures prohibiting or

XVI ARTIKLA

Minkään tämän sopimuksen määräyksen ei katsota estävän ryhtymästä toimenpiteisiin, jotka

Gold or silver exportation, etc., restriction.

Traffic in arms, ammunition, etc

restricting the exportation or importation of gold or silver, or to prevent the adoption of such measures as either Government may see fit with respect to the control of the export, or sale for export, of arms, ammunition or implements of war, and, in exceptional circumstances, all other military supplies.

Police or revenue laws.

Subject to the requirement that there shall be no arbitrary discrimination by either country against the other country in favor of any third country under like circumstances, the provisions of this Agreement shall not extend to regulations for the enforcement of police or revenue laws of the United States or of Finland relating to imports the importation, transportation, or sale of which is prohibited or restricted; or to prohibitions or restrictions (1) imposed on moral or humanitarian grounds; (2) designed to protect human, animal or plant life or health; or (3) relating to prison-made goods.

tarkoittavat kullaa tai hopeaa viennin tai tuonnin kieltämistä tai rajoittamista tai estävän ryhtymistä toimenpiteisiin, joita jompikumpi hallitus pitää tarpeellisinä aseiden, ampujatarpeiden tai sotavarusteiden, sekä poikkeuksellisissa olosuhteissa, kaikkien muiden sotatarvikkeiden viennin tai vientiä tarkoittavan myynnin valvonnan suhteen.

Edellyttäen, ettei mitään mielivaltaista syrjintää toisen maan puolelta toista vastaan kolmannen maan hyväksi harjoiteta vastavänlaisissa olosuhteissa, ei tämän sopimuksen määräyksiä sovelleta säännöksiin sellaisten Yhdysvaltojen tai Suomen poliisi- tai verolakien toimeenpanosta mitkä koskevat tuontitavaroita, joiden maahantuonti, kuljetus tai myynti on kiellettyä tai rajoitettua eikä myöskään kieltoihin ja rajoituksiin (1) jotka on määrätty moraalisisista tai humanisisista syistä; (2) jotka ovat tarkoitettut suojaamaan ihmisten, eläinten ja kasvien elämää tai terveyttä; taikka (3) jotka koskevat vankiloissa valmistettuja tavaroita.

ARTICLE XVII

Adoption of measures impairing Agreement, adjustment.

In the event that the Government of the United States of America or the Government of Finland adopts any measure or takes any action which, even though it does not conflict with the terms of this Agreement, is considered by the Government of the other country to have the effect of nullifying or impairing any object of the Agreement, the Government which has adopted such measure or taken such action shall consider such representations and proposals as the other Government may make with a view to effecting a mutually satisfactory adjustment of the matter.

XVII ARTIKLA

Siinä tapauksessa, että Amerikan Yhdysvaltojen tai Suomen hallitus ryhtyy johonkin toimenpiteeseen tai tekee jonkun teon, jonka, vaikkakaan se ei ole ristiriidassa tämän sopimuksen määräyksen kanssa, toisen maan hallitus katsoo vaikuttavan siten, että jokin tämän sopimuksen tarkoitusperä sen takia tulee mitätömäksi tai kadottaa merkitystään, se hallitus, joka on johonkin tällaiseen toimenpiteeseen ryhtynyt tai tehnyt tällaisen teon, ottaa harkittavakseen ne toisen maan tekemät esitykset ja ehdotukset, jotka tarkoittavat kumpaakin asianosaista tyydyttävän järjestelyn aikaansaamista asiassa.

ARTICLE XVIII

Agreement not to affect Treaty of Friendship, etc., of 1834
49 Stat 2650

Nothing in this Agreement shall be deemed to affect the rights and obligations arising out of the Treaty of Friendship, Commerce,

XVIII ARTIKLA

Minkään tässä sopimuksessa ei katsota vaikuttavan niihin oikeuksiin ja velvoituksiin, jotka johtuvat Washingtonissa 13 päivänä

and Consular Rights, signed at Washington on February 13, 1934.

helmikuuta 1934 allekirjoitetusta ystävyys-, kaupp- ja konsulisopimuksesta.

ARTICLE XIX

The present Agreement shall come into full force on the thirtieth day following proclamation thereof by the President of the United States of America and approval thereof by the President of Finland, or should the proclamation be issued and the approval be given on different days, on the thirtieth day following the date of the later in time of such proclamation or approval, and shall remain in force for the term of three years thereafter, subject to the provisions of Article VII and Article XIII. The Government of each country shall notify the Government of the other country of the date of its proclamation or approval.

Unless at least six months before the expiration of the aforesaid term of three years the Government of either country shall have given to the other Government notice of intention to terminate this Agreement upon the expiration of the aforesaid term, the Agreement shall remain in force thereafter, subject to the provisions of Article VII and Article XIII, until six months from such time as the Government of either country shall have given notice to the other Government.

In witness whereof the respective Plenipotentiaries have signed this Agreement and have affixed their seals hereto.

Done in duplicate, in the English and Finnish languages, both authentic, at the city of Washington, this eighteenth day of May, nineteen hundred and thirty-six.

XIX ARTIKLA

Tämä sopimus tulee voimaan kolmantenakymmenentenä päivänä sen jälkeen kuin Amerikan Yhdysvaltojen Presidentti on antanut siitä julistuksen ja Suomen Presidentti on sen hyväksynyt tai jos julistus ja hyväksyminen on annettu eri päivinä, kolmantenakymmenentenä päivänä myöhemmän tällaisen julistuksen tai hyväksymisen päivämäärästä lukien ja pysyy sen jälkeen voimassa kolmen vuoden ajan ellei sitä irtisanota VII tai XIII artiklan määräysten mukaisesti. Kummankin maan hallitus ilmoittaa toisen maan hallitukselle julistuksen tai hyväksymisen antamispäivän.

Jollei jommankumman maan hallitus vähintään kuusi kuukautta ennen edellä mainitun kolmen vuoden määräajan umpeenkulumista ole ilmoittanut toisen maan hallitukselle aikeestaan lopettaa tämä sopimus mainitun määräajan umpeenkuluttua, sopimus jää edelleen voimaan, ellei sitä irtisanota VII tai XIII artiklan määräysten mukaisesti, kunnes kuusi kuukautta on kulunut siitä päivästä lukien, jolloin jommankumman maan hallitus on antanut irtisanomisilmoituksen toisen maan hallitukselle.

Vakuudeksi ovat asianomaiset täysivaltaiset edustajat allekirjoittaneet tämän sopimuksen sekä sen sineteillään varustaneet.

Tehtiin Washingtonissa kahdeksantentoista päivänä toukokuuta tuhat yhdeksänsataa kolmekymmentä kuusi kahtena kappaleena, englanniksi ja suomeksi, jotka molemmat ovat todistusvoimaisia.

Effective date.

Duration
Ante, pp. 1439, 1444.

Termination.

Signatures.

For the President of the United States of America:

CORDELL HULL [SEAL]

For the President of Finland:

EERO JÄRNEFELT [SEAL]

Schedule I.

SCHEDULE I

<i>Finnish Tariff Number</i>	<i>Description of Articles</i>	<i>Rate of Duty in Finnish Marks</i>
28-a	Lard ("ihra ja rasva"), rendered <i>Note: On imports of United States lard, including neutral lard, not in excess of 1,000,000 net kilograms per each successive 12-month period and entering through the ports of Helsinki, Turku, Viipuri or Vaasa, the duty shall not exceed 4.00 Finnish marks per net kilogram.</i>	
Ex 48-b	Cornstarch	1 kg. 1 00
Ex 75-b-2	Apples, fresh, entering during period: December 15 to June 15, inclusive	1 kg. 1. 50
Ex 75-b-3	Pears and plums, fresh or merely cooked	1 kg. 1. 00
Ex 75-b-4	Grapefruit, fresh or merely cooked	1 kg. 0. 50
Ex 76-b	Raisins, dried or desiccated	1 kg. 0. 50
Ex 76-c	Prunes, all kinds, dried or desiccated	1 kg. 0. 70
Ex 80	Pears, apricots, peaches and mixed fruit for salad, dried, desiccated, or salted	1 kg. 3. 00
	<i>Note: The proportion of dried apples in mixed fruit for salad shall not exceed 15 percent by weight.</i>	
Ex 147-c	Preserved pineapples, pears, peaches, apricots, mixed fruit for salad, grapefruit, tomato juice and asparagus, including sweet-preserved, in hermetically sealed containers	1 kg. 6. 50
167	Cotton, uncarded, including bleached or dyed	Free
305-a	Sacks, manifestly used, of jute	Free
Ex 462-b	Motion picture film, developed	1 kg. 34. 00
Ex 468-a	Patent leather in pieces weighing each more than 1 kilo net	1 kg. 16. 00
Ex 468-b	Patent leather in pieces weighing each less than 1 kilo but not less than 0.5 kilo net	1 kg. 20 00
Ex 468-c-3	Patent leather in pieces weighing each less than 0.5 kilo net	15% ad valo-rem
	Minimum duty	1 kg. 26. 00
Ex 489-b	Drive and conveyor belts, of rubber, gutta percha or balata, including those combined with textile materials	1 kg. 14 00
490-a-1	Automobile tires without iron rims (including inner tubes)	1 kg. 20 00
Ex 537	Desks and chairs for office use, of iron or steel sheet, lacquered, painted, enamelled, oxydized, bronzed, nickel plated, or covered with other base metals, n. o. s., or of stainless steel	1 kg. 3. 00

LUETTELO I

<i>Suomen tullitariffin nimi</i>	<i>Tavaran nimitys</i>	<i>Tulli Smk.</i>
28-a	Ihra ja rasva, sulatettu <i>Muist:</i> Yhdysvalloista kunakin peräkaisenä 12 kuukauden kautena aina 1,000,000 nettokiloon saakka Helsingin, Turun, Viipurin tai Vaasan satamien kautta tuotavasta ihrasta ja rasvasta, mukaanluettuna neutralaardi, suoritetaan tullia korkeintaan 4 markkaa nettokiloilta.	
48-b:sta	Maissitarkkelys	1 kg 1:-
75-b-2:sta	Omenat, tuoreet, jotka tuodaan maahan joulukuun 15 p:n ja kesäkuun 15 p:n välisenä aikana	1 kg. 1:50
75-b-3:sta	Paarynat ja luumut, tuoreet tai paljaaltaan keitetyt	1 kg. 1:-
75-b-4 sta	Grapehedelmat, tuoreet tai paljaaltaan keitetyt	1 kg. -:50
76-b sta	Rusinat, kuivat tai kuivatut	1 kg. -:50
76-c sta	Luumut, kaikenlaatuiset, kuivat tai kuivatut	1 kg. -:70
80 sta	Paarynat, aprikosit, persikat ja salaatiksi tarkoitetut sekahedelmat, kuivat, kuivatut tai suolatut <i>Muist:</i> Salaatiksi tarkoitetut sekahedelmat eivät saa sisältää kuivattuja omenia enempää kuin 15% painosta.	1 kg. 3:-
147-c:stä	Sailykkeet, myös hillotut, ilmanpita-vasti suljetuissa pakkauksissa: ananokset, paarynat, persikat, aprikosit, salaatiksi tarkoitetut sekahedelmat, grapehedelmat, tomaattimehu ja parsat	1 kg. 6:50
167	Puuvilla, karstaamaton, myös valkaistut tai varjattu	Vapaa
305-a	Sakit, ilmeisesti käytetty, juutista valmistetut	Vapaat
462-b:sta	Elokuvafilmit, kehitetyt	1 kg. 34:-
468-a:sta	Kiiltonahka, kappaleina, jotka painavat yli 1 kg. netto	1 kg. 16:-
468-b:sta	Kiiltonahka, kappaleina, jotka painavat alle 1 kg. mutta ei alle 0.5 kg. netto	1 kg. 20:-
468-c-3 sta	Kiiltonahka, kappaleina, jotka painavat alle 0.5 kg. netto	15% arvosta
489-b:stä	Käyttö- ja kuljetushihnat, kautsusta, guttaperkasta ja balatasta, myös jos niissä on kehruuaineksia	Vahin tullia 1 kg. 26:- 1 kg. 14:-
490-a-1	Autobiiliirenkaat, joissa ei ole rautakiskoja, myös sisärenkaat	1 kg. 20:-
537:stä	Konttoripöydät ja -tuolit, rautatai teräslevyistä valmistetut, lakatut, maalattut, emaljoidut, hapetetut, pronssatut, nikkeloidyt tai muilla, erikseen mainitsemattomilla epäjaloilla metalleilla silattut: myös ruostumattomasta teräksestä valmistetut	1 kg. 3:-

Schedule I—Contd.

SCHEDULE I—Contd.

<i>Finnish Tariff Number</i>	<i>Description of Articles</i>	<i>Rate of Duty in Finnish Marks</i>
Ex 637	Copper rods, including those in bundles or coils, of 5 mm. or more in greatest dimension of cross-section, rolled, drawn, forged or pressed to profile, but not further elaborated	1 kg. 0.30
683-b	Refrigerating machines weighing each 500 kilos net or less	1 kg. 2.50
Ex 684-a	Refrigerating machines weighing each over 500 kilos but not over 2,500 kilos net	1 kg. 1.60
Ex 685-a	Refrigerating machines weighing each over 2,500 kilos net, per kilo in excess of that weight	1 kg. 1.20
	<i>Note:</i> The present customs treatment of parts of mechanical refrigerators and of refrigerating machines will continue to apply.	
700-a	Calculating machines and cash registers	1 kg. 15.00
700-b	Typewriters and duplicating machines	1 kg. 10.00
	<i>Ex Note to Tariff No. 700:</i> In case the importer is able to prove that machines falling under tariff number 700, sections a and b, are not manufactured in Finland, the duties are reduced by 50 percent.	
708-a-1-aa-2	Passenger automobiles of a maximum value of 80,000 Finnish marks each, when the cylinder volume exceeds 1600 cubic centimeters, and chassis and other parts, n. o. s., for passenger automobiles of all kinds; also chassis for motor trucks and parts, n. o. s., for such chassis	14% ad valorem
	Minimum duty	1 kg. 3.50
708-a-1-ab	Motor trucks and parts, n. o. s., therefor	14% ad valorem
	Minimum duty	1 kg. 3.50
708-a-2	Passenger automobiles of a value over 80,000 Finnish marks but not over 160,000 Finnish marks each	21% ad valorem
	Minimum duty	1 kg. 5 25
708-a-3	Passenger automobiles of a value over 160,000 Finnish marks each	28% ad valorem
	Minimum duty	1 kg. 7.00
Ex 811-b-2	Gasoline	1 kg. 2 00

LUETTELO I—Jatk.

<i>Suomen tullitariffin nimike</i>	<i>Tavaran nimitys</i>	<i>Tulli Smk.</i>
637:sta	Kuparitangot, myös kimppuina tai renkaina, joissa poikkileikkausmuodon suurin lapimitta on vähintään 5 mm., valssatut, vedetyt, taotut tai profiilipuristeiset, mutta ilman enempää muovailua	1 kg. —:30
683-b	Jaahdytyskoneet, joiden nettopaino kapaleelta on enintään 500 kg.	1 kg. 2:50
684-a:sta	Jaahdytyskoneet, joiden nettopaino kapaleelta on yli 500 kg:n, mutta ei yli 2,500 kg:n	1 kg. 1:60
685-a:sta	Jaahdytyskoneet, joiden nettopaino kapaleelta on yli 2,500 kg:n, kultakin taman yli olevalta kg lta	1 kg. 1:20
	<i>Muist:</i> Nykyistä mekaanisten jaahdytyskaappien sekä jaahdytyskoneiden osien tullikäsittelyä sovelletaan edelleenkin.	
700-a	Lasku- ja kassantarkastuskoneet	1 kg. 15:—
700-b	Kirjoitus- ja monistelukoneet	1 kg. 10:—
	<i>Muistutuksesta nimikkeeseen 700: jos maahantuoja voi näyttää toteen, että nimikkeen 700 kohtiin a) ja b) luettavia koneita ei valmisteta Suomessa, myönnetään 50%:n tullialennus.</i>	
708-a-1-aa-2	Henkilöautomobiilit, joiden arvo on enintään 80,000 Smk. kpl. koneen silinteritilavuuden ollessa enemmän kuin 1,600 cm ³ ; samoin kaikkien henkilöautomobiilien alustat ja muut osat, erikseen mainitsemattomat; niin myös kuormaautomobiilien alustat ja alustojen osat, erikseen mainitsemattomat	Vähin tulli 1 kg. 14% arvosta 3:50
708-a-1-ab	Kuorma-automobiilit ja niiden osat, erikseen mainitsemattomat	Vähin tulli 1 kg. 14% arvosta 3:50
708-a-2	Henkilöautomobiilit arvoltaan yli 80,000 Smk., mutta ei yli 160,000 Smk. kpl.	Vähin tulli 1 kg. 21% arvosta 5:25
708-a-3	Henkilöautomobiilit arvoltaan yli 160,000 Smk. kpl.	Vähin tulli 1 kg. 28% arvosta 7:—
811-b-2 sta	Gasolini	1 kg. 2:—

Schedule II.

SCHEDULE II

NOTE: The provisions of this Schedule shall be construed and given the same effect, and the application of collateral provisions of the customs laws of the United States to the provisions of this Schedule shall be determined, insofar as may be practicable, as if each provision of this Schedule appeared respectively in the statutory provision noted in the column at the left of the respective descriptions of articles.

In the case of articles enumerated in this Schedule, which are subject on the day of the signature of this Agreement to additional or separate ordinary customs duties, whether or not imposed under the statutory provision noted in the column at the left of the respective description of the article, such separate or additional duties shall continue in force, subject to any reduction indicated in this Schedule or hereafter provided for, until terminated in accordance with law, but shall not be increased.

<i>United States Tariff Act of 1890 Paragraph</i>	<i>Description of Articles</i>	<i>Rate of Duty</i>
234 (a)	Granite suitable for use as monumental, paving, or building stone, not specially provided for:	30% ad val.
	Hewn, dressed, pointed, pitched, lined, or polished, or otherwise manufactured (including paving blocks)	
	Unmanufactured, or not dressed, pointed, pitched, lined, hewn, or polished	12½¢ per cubic foot
	<i>Note:</i> The existing customs classification treatment of granite suitable for use as monumental, paving, or building stone, which has been roughly squared merely for the purpose of facilitating its shipment to the United States, as "unmanufactured, or not dressed, pointed, pitched, lined, hewn, or polished" in accordance with the ruling announced in Treasury Decision 44791-4 (59 Treasury Decisions 850) shall be continued during the effective period of this Agreement.	
372	Cream separators valued at more than \$50 and not more than \$100 each	12½% ad val.
405	Plywood wholly or in chief value of birch	20% ad val. and in addition thereto 5% ad val.
412	Spools wholly of wood suitable for thread, not including bobbins	25% ad val.
710	Cheese having the eye formation characteristic of the Swiss or Emmenthaler type; and Gruyere process-cheese	5¢ per lb., but not less than 20% ad val.

LUETTELO II

Muist: Tämän luettelon määräykset on tulkittava, niitten vaikutuksen tulee olla sama ja Yhdysvaltojen tullilakien täydentävien määräysten soveltaminen tämän luettelon määräyksiin on, mikäli mahdollista, ratkaistava kuin jos jokainen tämän luettelon määräys olisi otettu kunkin tavaramääritelmän vasemmalla puolella olevaan sarakkeeseen merkittyyn asetuksenmukaiseen määräykseen.

Niihin tässä luettelossa mainittuihin tuotteisiin nähden, jotka ovat tämän sopimuksen allekirjoittamispäivänä lisättyjen tai erityisten varsinaisten tullien alaisia, olkootpa ne määrätty kunkin tavaramääritelmän vasemmalla puolella olevaan sarakkeeseen merkityn asetuksenmukaisen määräyksen perusteella tai ei, tulevat tällaiset erityiset tullit tai lisatullit, ottaen huomioon ne alennukset, jotka sisältyvät tähän luetteloon tai joita myöhemmin tehdään, jäämaan voimaan siksi kunnes niitten voimassaolo lain mukaan päättyy, mutta niitä ei saa korottaa.

*Yhdysvaltojen
v. 1930 tariffi-
lain pykälä*

Tavaran nimitys

Tulli

234 (a)	Graniitti, monumentti-, katu- tai rakennuskivenä käytettävä, ei muualla mainittu, hienoksi hakattu, hiottu, reunoilta puhtaaksi hakattu, piikattu eraalla tavalla hakattu, kiillotettu tai muulla tavoin muokattu (myös tie- tai katukivet)	30% arvosta
	Graniitti, muokkaamaton, eli ei hiottu, reunoilta puhtaaksi hakattu, piikattu, eräällä tavalla hakattu, hienoksi hakattu tai kiillotettu	12½ c. kuutiojalalta
	<i>Muist:</i> Graniittia, joka on tarkoitettu monumentti-, katu- tai rakennuskivenä käytettäväksi ja joka karkeana kappaleena louhittuna on tasotettu (reunoilta puhtaaksi meislattu) vain helpottaakseen kuljetusta Yhdysvaltoihin, käsitellään tullattaessa edelleen "muokkaamattomana, eli ei hiottuna, reunoilta puhtaaksi hakattuna, piikattuna, eräällä tavalla hakattuna, hienoksi hakattuna tai kiillotettuna" Treasury Decision 44791-4:ssä (59 Treasury Decisions 850) julkaistun päätöksen mukaisesti, niin kauan kuin tämä sopimus on voimassa.	
372	Separaattorit, arvoltaan 50-100 dollaria	12½% arvosta
405	Ristinliimattu faneri, yksinomaan tai pääasialliselta arvoltaan koivusta valmistettu	25% arvosta
412	Yksinomaan puusta valmistetut rullat lankaa varten, bobiineja lukuunottamatta	25% arvosta
710	Juusto, jossa on sveitsiläistä emmenthal-juustolle ominainen reijitys; sekä sulatettu gruyère-juusto	5 c per lb., tai ainakin 20% arvosta

Schedule II—Contd.

SCHEDULE II—Contd.

<i>United States Tariff Act of 1930 Paragraph</i>	<i>Description of Articles</i>	<i>Rate of Duty</i>
1402	Paper board, wallboard, and pulpboard, including cardboard, and leather board or compress leather, not plate finished, supercalendered or friction calendered, laminated by means of an adhesive substance, coated, surface stained or dyed, lined or vat-lined, embossed, printed, decorated, or ornamented in any manner, nor cut into shapes for boxes or other articles and not specially provided for, except pulpboard in rolls for use in the manufacture of wallboard	10% ad val.
1405	Vegetable parchment paper by whatever name known	2¢ per lb. and 10% ad val.
1409	Wrapping paper not specially provided for: Sulphate	20% ad val.
	Other, except straw paper	25% ad val.
1413	Paper board and pulpboard, including cardboard and leather-board or compress leather, plate finished, supercalendered or friction calendered, laminated by means of an adhesive substance, coated, surface stained or dyed, lined or vat-lined, embossed, printed, or decorated or ornamented in any manner, except pulpboard in rolls for use in the manufacture of wallboard	\$14 50 per ton of 2,000 lbs, but not less than 15% nor more than 30% ad val.
1516	Matches, friction or lucifer, of all descriptions, per gross of one hundred and forty-four boxes, containing not more than one hundred matches per box	17½¢ per gross
1604	Cream separators valued at not more than \$50 each, whether in whole or in parts, including repair parts	Free
1716	Mechanically ground wood pulp, chemical wood pulp, unbleached or bleached	Free
1772	Standard newsprint paper	Free

LUETTELO II—Jatk.

Yhdysvaltojen
v. 1930 tariffi-
lain pykälä

	Tavaran nimi	Tulli
1402	Pahvi, rakennuspahvi ja massapahvi, kartonki ja ruskea pahvi tai jäljennetty nahka mukaanluettuina, ei levykiilloitettu, superkalanteroitu tai kittakalanteroitu, liisteriaineella yhteenliisteroitu, sivelty, pintavärjätty tai pintakerros massana värjätty, päällystetty tai pintakerroksella varustettu, kuvioitu, painettu tai jollakin tavalla koristeltu, ei myöskään valmiiksi leikattuna laatikoita tai muita tuotteita varten eikä erikseen mainittu, lukuunottamatta pahvia rullissa rakennuspahvin valmistusta varten	10% arvosta
1405	Oikea pergamenttipaperi (tunnettu minkä nimisenä tahansa)	2 c. per lb., ja 10% arvosta
1409	Kaarepaperi, muualla mainitsematon: Sulfaatti	20% arvosta
	Muu, olkipaperia lukuunottamatta	25% arvosta
1413	Pahvi ja massapahvi, kartonki ja ruskea pahvi tai jäljennetty nahka mukaanluettuina, levykiilloitettu, superkalanteroitu tai kittakalanteroitu, liisteriaineella yhteenliisteroitu, sivelty, pintavärjätty tai pintakerros massana värjätty, päällystetty tai pintakerroksella varustettu, kuvioitu, painettu tai jollakin tavalla koristeltu, lukuunottamatta pahvia rullissa rakennuspahvin valmistusta varten	\$14.50 tonnilta à 2000 lbs, kuitenkin vähintään 15% arvosta ja enintään 30% arvosta
1516	Tulitikut, friktio- tai lucifer-, kaikenlaiset, 144 laatikon grosseissa, kukin laatikko sisältäen korkeintaan 100 tulitikkua	17½ c. grossilta
1604	Separaattorit, arvoltaan korkeintaan \$50, kokonaan tai osissa, varaosat mukaanluettuina	Vapaat
1716	Mekaaninen puumassa, kemiallinen puumassa, valkaisematon tai valkaistu	Vapaa
1772	"Standard" sanomalehtipaperi	Vapaa

Modifications, etc.

WHEREAS such modifications of existing duties and other import restrictions and such continuance of existing customs and excise treatment as are set forth and provided for in the said Agreement and the two Schedules thereunto annexed are required and appropriate to carry out the said Agreement;

Ante, p. 1447.

WHEREAS it is stipulated in Article XIX of the said Agreement that the Agreement shall come into full force on the thirtieth day following proclamation thereof by the President of the United States of America and approval thereof by the President of the Republic of Finland, or should the proclamation be issued and the approval be given on different days, on the thirtieth day following the date of the later in time of such proclamation or approval;

WHEREAS the said Agreement, including the two Schedules, was approved by the President of the Republic of Finland on October 2, 1936;

Proclamation.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, acting under the authority conferred by the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, do hereby proclaim the said Agreement, including the said Schedules, to the end that the same and every part thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof on and after November 2, 1936, the thirtieth day following October 3, 1936, the date of this my proclamation of the said Agreement.

48 Stat. 943.
19 U. S. C. § 1351.

PURSUANT to the proviso in Section 350 (a) (2) of the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, I shall from time to time notify the Secretary of the Treasury of the countries with respect to which application of the duties herein proclaimed is to be suspended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this third day of October in the
year of our Lord one thousand nine hundred and
[SEAL] thirty-six and of the Independence of the United
States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

*Agreement between the United States of America and Brazil respecting
a military mission. Signed November 12, 1936; effective November
12, 1936.* November 12, 1936
[E. A. S. No. 98]

AGREEMENT BETWEEN THE GOVERNMENTS OF THE UNITED STATES OF AMERICA AND THE UNITED STATES OF BRAZIL

Agreement with
Brazil respecting a
military mission

49 Stat 3848
44 Stat 565

49 Stat. 218

In conformity with the request made on November 9, 1935, by the Brazilian Ambassador at Washington to the Secretary of State of the UNITED STATES OF AMERICA, and the notes of November 9, December 16 and December 19, 1935, the President of the UNITED STATES OF AMERICA, by virtue of the authority conferred by the Act of Congress, approved May 19, 1926, entitled "an Act to authorize the President to detail officers and enlisted men of the United States Army, Navy, and Marine Corps to assist the Governments of the Latin American Republics in military and naval matters", as amended by an Act of May 14, 1935, to include the Commonwealth of the Philippine Islands, has authorized the continuance of the detail of officers constituting an American Military Mission to BRAZIL, upon the following agreed conditions:

TITLE I

PURPOSE AND DURATION

Purpose and dura-
tion.

Art. 1. The purpose of the Mission is to cooperate with the General Staff, Office of the Chief of Coast Defense and officers of the Brazilian Army in the development and functioning of the Coast Artillery Instruction Center, to superintend the courses and assist in the instruction. The Mission will also have charge of the courses and assist in the instruction of the subjects of Permanent Fortification and Chemical Warfare at the Technical School.

Art. 2. This Mission shall continue for two years from the date of the signing of this agreement by the accredited representatives of the Governments of the UNITED STATES OF AMERICA and the UNITED STATES OF BRAZIL.

Art. 3. If the Government of BRAZIL should desire that the service of the Mission should be extended, in whole or in part, beyond the period stipulated, a proposal to that effect must be made six months before the expiration of this agreement.

Art. 4. If it should be necessary, in the interest of either one of the two Governments, that the present contract or its extension be terminated before the time specified, the Government so desiring must give notice to the other three months in advance.

ACCORDO ENTRE OS GOVERNOS DOS ESTADOS UNIDOS DA AMERICA E DOS ESTADOS UNIDOS DO BRASIL

De conformidade com o pedido feito a 9 de Novembro de 1935, pelo Embaixador do BRASIL em WASHINGTON ao Secretario de Estado dos ESTADOS UNIDOS DA AMERICA e com as notas de 9 de Novembro, 16 de Dezembro e 19 de Dezembro de 1935, o Presidente dos ESTADOS UNIDOS DA AMERICA, em virtude da autoridade que lhe é conferida pela lei do Congresso, approvada a 19 de Maio de 1926 e intitulada "lei que autoriza o Presidente a designar officiaes e homens alistados do Exercito, da Marinha e dos Batalhões Navaes dos ESTADOS UNIDOS para assistirem os Governos das Republicas da America Latina em assumptos militares e navaes", e alterada pela lei de 14 de Maio de 1935 para incluir o "Commonwealth" das Ilhas Philippinas, autorizou a continuação da designação de officiaes que constituem uma Missão militar no BRASIL, nas seguintes condições contractuaes:

TITULO I

FIM E DURAÇÃO

Art. 1. O fim da Missão é cooperar com o Estado Maior do Exercito, com a Inspectoria de Defesa de Costa e com Officiaes do Exercito brasileiro, no desenvolvimento e funccionamento do Centro de Instrucção de Artilharia de Costa, superintender os cursos e auxiliar a instrucção. A Missão terá tambem a seu cargo os cursos de Fortificação Permanente e Guerra Chimica na Escola Technica do Exercito, onde auxiliará a respectiva instrucção.

Art. 2. Esta Missão durará dois annos a partir da data da assignatura deste accôrdo pelos representantes autorizados dos Governos dos ESTADOS UNIDOS DA AMERICA e dos ESTADOS UNIDOS DO BRASIL.

Art. 3. Se o Governo do Brasil desejar que o serviço da Missão se prolongue, no todo ou em parte, além do periodo estipulado, uma proposta para esse fim deverá ser feita seis mezes antes do termo deste contracto.

Art. 4. Se fôr necessario, no interesse de qualquer dos dois Governos, que o presente contracto, ou seu prolongamento, termine antes do tempo especificado, o Governo que o desejar deverá notificá-lo ao outro tres mezes antes.

Art. 5. It is herein stipulated and agreed that while the Mission shall be in operation under this agreement, or under an extension thereof, the Government of¹ BRAZIL will not engage the services of any Mission or personnel of any other foreign government for the duties and purposes contemplated by this agreement.

TITLE II

COMPOSITION AND PERSONNEL

Composition and
personnel.

Art. 6. The Mission will be composed of four officers of the Regular Army of the United States of America as follows: one Colonel or Lieutenant Colonel of Coast Artillery; one Major or Captain of Coast Artillery; one Lieutenant Colonel or Major of Engineers; and one Major or Captain of the Chemical Warfare Service. The senior Coast Artillery Officer will be Chief of the Mission, who will assure normally the direct relations of the Mission with the Minister of War and the Chief of Staff of the Army.

Art. 7. Any additions to the personnel of the Mission that may be considered advisable or necessary shall be considered as an addendum to this agreement.

TITLE III

DUTIES, RANK AND PRECEDENCE

Duties, rank, and
precedence.

Art. 8. The members of the Mission shall be responsible solely to the Brazilian Ministry of War through the Chief of the Mission and shall act as tactical and technical advisers to the Chief of the General Staff and Chief of Coast Defense for the questions of organization and instruction in all matters pertaining to Coast Defense, Permanent Fortification, and Chemical Warfare.

Art. 9. It shall be the duty of the members of the Mission, under the direction of the Chief of the Mission, to advise technically the Commandant of the Coast Artillery Center of Instruction and the Commandant of the Technical School and cooperate with them in all matters pertaining to Coast Defense, Permanent Fortification, and Chemical Warfare, as well as prescribing the courses in these subjects and assisting in the instruction.

Art. 10. In case of war between BRAZIL and any other nation, the Mission shall terminate. In case of civil war no member of the Mission shall take part in the operations in any respect.

Art. 11. The members of the Mission shall each receive one extra grade or rank above the rank they hold in the Army of the United States of America, while serving on the Mission. Their precedence with respect to Brazilian Officers and Officers of other foreign missions shall be in accordance with their extra grade or rank and seniority therein. The members of the Mission will receive no extra compensation for the above mentioned extra grade or rank and will wear only uniforms of the Army of the United States of America.

¹ So in original.

Art. 5. E' aqui estipulado e accordado que, emquanto a Missão funcionar sob este accôrdo, ou seu prolongamento, o Governo do BRASIL não contractará os serviços de qualquer Missão ou pessoal de qualquer outro Governo estrangeiro para as funcções e fins tratados neste accôrdo.

TITULO II

COMPOSIÇÃO E PESSOAL

Art. 6. A Missão compor-se-á de quatro officiaes do Exercito dos ESTADOS UNIDOS DA AMERICA, a saber: um Coronel ou Tenente-Coronel de Artilharia de Costa; um Major ou Capitão de Artilharia de Costa; um Tenente-Coronel ou Major de Engenharia; e um Major ou Capitão do Serviço de Guerra Chimica. O official mais antigo de Artilharia de Costa será o Chefe da Missão, o qual assegurará normalmente as relações directas da Missão com o Ministro da Guerra e o Chefe do Estado Maior do Exercito.

Art. 7. Qualquer augmento do pessoal da Missão, que se julgar conveniente, ou necessario, será considerado como additamento a este accôrdo.

TITULO III

DEVERES, GRADUAÇÃO E PRECEDENCIA

Art. 8. Os membros da Missão ficarão unicamente subordinados ao Ministerio da Guerra do BRASIL, por intermedio do Chefe da Missão, e exercerão junto ao Chefe do Estado Maior do Exercito e Inspector da Defesa de Costa o papel de conselheiros tacticos e technicos para as questões de organização e instrucção nos assumptos relativos á Defesa de Costa, Fortificações Permanentes e Guerra Chimica.

Art. 9. E' dever dos membros da Missão, sob a direcção do Chefe da mesma, aconselhar tecnicamente o Commandante do Centro de Instrucção de Artilharia de Costa e o da Escola Technica do Exercito e com elles cooperar em todos os assumptos referentes á Defesa de Costa, Fortificações Permanentes e Guerra Chimica, bem como prescrever os cursos nos ditos assumptos e auxiliar a instrucção.

Art. 10. Em caso de guerra entre o BRASIL e qualquer outra Nação, será extinta a Missão. Em caso de guerra civil, nenhum membro da Missão tomará parte nas operações, de modo algum.

Art. 11. Os membros da Missão receberão cada um uma graduação ou posto immediatamente acima da que têm no Exercito americano, emquanto servirem na Missão. Sua precedencia em relação aos officiaes brasileiros e officiaes de outras missões estrangeiras será regulada de accôrdo com a graduação acima referida e a antiguidade. Não receberão nenhuma remuneração extraordinaria pela dita graduação e só usarão uniformes do Exercito dos Estados Unidos da America.

TITLE IV

PAY AND ALLOWANCES

Pay and allowances.

Art. 12. The members of the Mission shall receive from the Brazilian Government, for their services, the following annual compensation in Brazilian paper money, payable monthly in 12 equal installments:

Colonel	72:000\$000 (Seventy-two contos)
Lieutenant Colonel	66:000\$000 (Sixty-six contos)
Major	60:000\$000 (Sixty contos)
Captain	54:000\$000 (Fifty-four contos)

Art. 13. Each member of the Mission shall have the right to receive his Brazilian pay beginning on the date of his leaving NEW YORK, and continuing, upon completion of his service in the Mission, up to the date of his arrival in NEW YORK, proceeding each way by usual sea route. Any member of the Mission who may return to the UNITED STATES before completing two years service, or who returns for one of the causes foreseen in Art. 26, will only receive full pay up to the date of his leaving RIO DE JANEIRO, except in the cases of ill-health or termination of the contract of the Mission in which cases payment will be made up to arrival in NEW YORK.

Art. 14. It is further stipulated that this compensation shall not be subject to any Brazilian tax¹ now in force or which may hereafter be imposed.

Art. 15. The expenses of transportation by land and sea of the members of the Mission, their families, household effect¹ and baggage, including automobiles, shall be paid in advance by the representative of the Brazilian Government, the officers and their families being furnished with firstclass accommodations, families being construed as wives and dependent children throughout the contract. There shall be provided in advance the following allowance to cover expenses of locating and housing each member of the Mission:

Colonel	6:000\$000
Lieutenant Colonel	5:500\$000
Major	5:000\$000
Captain	4:500\$000

The household effects and baggage including automobiles of the personnel of the Mission and their families shall be exempt from customs duties and imposts of any kind in BRAZIL.

Art. 16. The members of the Mission who remain in Brazil two or more years, or until the termination of the Mission, shall have the right, when they return to the UNITED STATES OF AMERICA, to the advance payment of transportation expenses of themselves and their families and all effects, as specified in Art. 15, and insurance of effects, from RIO DE JANEIRO to NEW YORK; these expenses to include packing effects and transporting them on board ship in RIO DE JANEIRO.

Art. 17. During the stay of the Mission, the Government of BRAZIL shall grant, on request of the Chief of the Mission, free entry for articles of personal and family use; families being construed as wives, and dependent children.

¹ So in original.

TITULO IV

REMUNERAÇÃO E VANTAGENS

Art. 12. Os membros da Missão receberão do Governo Brasileiro, por seus serviços, a seguinte remuneração annual, em moeda papel brasileira, pagavel, mensalmente, em 12 prestações iguaes:

Coronel	72:000\$000	(Setenta e dois contos)
Tenente-Coronel	66:000\$000	(Sessenta e seis contos)
Major	60:000\$000	(Sessenta contos)
Capitão	54:000\$000	(Cincoenta e quatro contos)

Art. 13. Todos os membros da Missão terão direito a receber os seus vencimentos brasileiros desde a data de sua partida de Nova York até a de chegada á mesma cidade, de regresso, depois de terminado o seu serviço na Missão, sendo utilizada nas viagens a rota maritima usual. Qualquer membro da Missão que regressar aos Estados Unidos antes de completar dois annos de serviço ou aquelle que partir por uma das causas previstas no art. 26, só receberá, entretanto, os seus vencimentos integraes até a data da partida do RIO DE JANEIRO; exceptuam-se os casos de doenças ou de terminação do contracto da Missão, em que o pagamento será feito até a chegada a Nova York.

Art. 14. Fica além disto estipulado que essa remuneração não está sujeita a imposto algum brasileiro em vigor, ou que possa ser criado posteriormente.

Art. 15. As despesas de transporte por terra e mar, dos membros da Missão, suas familias, moveis e utensilios de casa e bagagens, inclusive automoveis, serão pagas adiantadamente pelo representante do Governo Brasileiro, fornecendo-se aos officiaes e suas familias passagens de 1ª classe, entendendo-se neste contracto por familia a Senhora e filhos a cargo dos mesmos officiaes. Será concedida tambem adiantadamente a seguinte ajuda de custo, para as despesas de installação de cada membro da Missão:

Coronel	6:000\$000
Tenente-Coronel	5:500\$000
Major	5:000\$000
Capitão	4:500\$000

Os moveis, objectos de casa, bagagem e automoveis, do pessoal da Missão e suas familias, estarão isentos de direitos aduaneiros e impostos, de qualquer natureza, do BRASIL.

Art. 16. Os membros da Missão que permanecerem no BRASIL dois ou mais annos, ou até a terminação da mesma, terão direito, quando regressarem aos Estados Unidos da America, ao pagamento adiantado das despesas de transporte constantes do art. 15, para si, suas respectivas familias e bagagens, inclusive automoveis, seguro das mesmas bagagens do RIO DE JANEIRO até Nova York, inclusive embalagem e transporte para bordo, no RIO DE JANEIRO.

Art. 17. Durante a permanencia da Missão, o Governo do BRASIL concederá, mediante pedido de seu Chefe, entrada livre para os artigos de uso pessoal e das familias; considerando-se como familias as Senhoras e os filhos a cargo dos officiaes.

Art. 18. Each member of the Mission with more than two complete years of service in Brazil shall have the right to a leave of three months on full pay, and also the right of leaving BRAZIL. In case he leaves BRAZIL, he shall have the right to travel time in addition to his leave and he shall receive his full pay in Brazilian money at the rate specified in Art. 12, during both his leave and time of travel. The Chief of the Mission shall arrange, after consultation with the Chief of the General Staff, that such leaves inconvenience as little as possible the interests of the Brazilian Army.

Art. 19. Members of the Mission who may become ill, shall be cared for by the Brazilian Government, in such hospital as the Chief of the Mission may, after consultation with the Brazilian authorities, consider suitable.

Art. 20. In case of travel performed on official business outside of the Federal District and Nictheroy, by any member of the Mission, such member shall receive while engaged therein, besides his regular compensation, *per diem* allowances and transportation which shall be the same as those allowed to the officers of the Brazilian Army of the same rank and in like circumstances.

Art. 21. The officers of the Mission shall be accorded the same rights and privileges which are enjoyed by diplomatic representatives accredited to Brazil and of corresponding rank, except as regards the rights of importation mentioned above.

Art. 22. A suitable automobile with chauffeur shall be permanently assigned to the Chief of the Mission for the use of the Mission on official service. When this automobile is unavailable because of repair, overhaul or other reason a suitable substitute will be provided.

Art. 23. A private office and necessary equipment shall be provided the members of the Mission for their work.

Art. 24. Every member of the Mission shall have a Brazilian officer detailed as an assistant.

Art. 25. If cancellation of this contract be effected on the request of the UNITED STATES OF AMERICA, all expenses of the return of the Mission and the families and all effects thereof to their country shall be borne by that Government. In case, however, the cancellation should be effected on the initiative of the Brazilian Government, or as a result of war between BRAZIL and a foreign power, the Brazilian Government shall bear all the costs of the return to the UNITED STATES OF AMERICA of the Mission and the families and all effects thereof, in accordance with the provision of Arts. 13 and 16, and in addition thereto, the Brazilian Government shall pay to each officer an amount equivalent to three months compensation from the date of his arrival in NEW YORK proceeding by usually traveled sea route.

TITLE V

RECALL AND REPLACEMENT OF MEMBERS OF THE MISSION

Art. 26. The UNITED STATES OF AMERICA, may if the public interest so requires, recall, at any time, any one or all of the members of the Mission, substituting for them other officers acceptable to the Brazilian

Members of the
Mission
Recall and replace-
ment.

Art. 18. Cada membro da Missão, com mais de dois annos completos de serviços no BRASIL, fará jús a uma licença de tres mezes, com todos os vencimentos e com o direito de ausentar-se do BRASIL, não incluindo na licença, neste caso, o tempo de viagem. Durante essa ausencia, comprehendida a viagem, cada membro da Missão receberá integralmente os seus vencimentos em moeda brasileira, como se acha especificado no art. 12. O Chefe da Missão providenciará, ouvido o Chefe do Estado Maior do Exercito, para que essas licenças prejudiquem o menos possivel os interesses do Exercito brasileiro.

Art. 19. Os membros da Missão que adoeçam serão internados pelo Governo Brasileiro no hospital que o Chefe da Missão julgar conveniente, depois de ouvidas as autoridades brasileiras.

Art. 20. No caso de viagens feitas a serviço, fóra do Districto Federal e Nictheroy, por qualquer membro da Missão, receberá elle, além dos vencimentos que lhe competem, as mesmas diarias e genero de transporte concedidos aos officiaes do Exercito brasileiro, de identica graduação, em condições semelhantes.

Art. 21. Serão concedidos aos officiaes da Missão os mesmos direitos e privilegios de que gozam os representantes diplomaticos de igual categoria acreditados no BRASIL, excepto no que diz respeito aos direitos de importação, já mencionados.

Art. 22. Um automovel de classe, com "chauffeur", será permanentemente posto á disposição do Chefe da Missão, para o transporte dos officiaes da mesma em serviço. Quando esse automovel não estiver disponivel, por necessitar reparos, exames ou outra qualquer razão, será substituido por outro, nas mesmas condições.

Art. 23. Os membros da Missão disporão, para os seus trabalhos, de um Gabinete e o necessario material de expediente.

Art. 24. Junto a cada membro da Missão haverá um official brasileiro, destacado como assistente.

Art. 25. Se este contracto fôr rescindido a pedido dos ESTADOS UNIDOS DA AMERICA, todas as despesas com a volta dos membros da Missão, suas familias e todas as suas bagagens, definidas no art. 15, a seu paiz, serão feitas por esse Governo. Se se verificar, porém, essa rescisão por iniciativa do Governo Brasileiro ou em consequencia de uma guerra entre o BRASIL e uma Nação estrangeira, o Governo Brasileiro fará face a todas as despesas para o regresso aos ESTADOS UNIDOS DA AMERICA dos membros da Missão, de suas respectivas familias e bagagens, de accôrdo com as estipulações dos arts. 13 e 16, devendo, outrosim, o Governo Brasileiro pagar a cada official uma quantia equivalente a tres mezes de vencimentos a partir da data de sua chegada a Nova York, em viagem normal por via maritima.

TITULO V

RETIRADA E SUBSTITUIÇÃO DOS MEMBROS DA MISSÃO

Art. 26. Os ESTADOS UNIDOS DA AMERICA poderão, se o interesse publico o exigir, retirar, em qualquer tempo, qualquer um dos membros da Missão ou todos elles, substituindo-os por outros officiaes do agrado

Government, all the expenses connected therewith being incumbent on the Government of the UNITED STATES OF AMERICA. If on the request of the Brazilian Government, any member of the Mission is recalled for due and just cause other than that of the termination of his services on the Mission or his illness, all the expenses connected with the return shall be incumbent on the UNITED STATES OF AMERICA.

Art. 27. Any member of the Mission may be relieved on his own request, by the Government of the UNITED STATES OF AMERICA, after two years of service in BRAZIL, being replaced in each case by an officer of corresponding rank and arm, as specified in Article 6, who is acceptable to the Brazilian Government.

Art. 28. No member of the Mission relieved on his own request before he gives two years service shall be entitled to travel expenses and transportation of effects at the expense of the Brazilian Government except in case of illness.

Art. 29. If any member of the Mission should be obliged by illness to discontinue service with the Mission, the Brazilian Government shall bear the expenses of return of himself, family and all effects thereof, to the UNITED STATES as above stipulated for members with more than two years of service.

Art. 30. If a member of the Mission or one of his family should die in BRAZIL, the Brazilian Government shall have the body transported to such city in the UNITED STATES as the family of the deceased may designate. In case the deceased should be a member of the Mission, the Brazilian Government shall pay the expenses of the travel of the family and the transportation of all their effects to NEW YORK.

Art. 31. In case of substitution for a member of the Mission, all the clauses of this agreement, except in cases of express provisions to the contrary, shall apply to the substitute, including those specified in Articles 13 and 15.

TITLE VI

SUPERSESSION OF ORIGINAL CONTRACT AND AUTHENTICATION OF NEW AGREEMENT

Art. 32. From the date of signing of this new agreement, embodied herein, by the accredited representatives of the Governments of the UNITED STATES OF AMERICA and of the UNITED STATES OF BRAZIL it will be in full effect and supersede entirely and in all particulars the original contract, signed at WASHINGTON May 10, 1934, by the Secretary of State of the UNITED STATES OF AMERICA, and the Brazilian Ambassador to the UNITED STATES OF AMERICA, and all supplementary agreements thereto.

Art. 33. IN FAITH WHEREOF, the undersigned, being duly authorized, sign the present contract in two texts, each one in the English and Portuguese languages, at RIO DE JANEIRO, the twelfth day of November of 1936.

[SEAL]	R. M. SCOTTEN
[SEAL]	JOSÉ CARLOS DE MACEDO SOARES
[SEAL]	GEN. JOÃO GOMES RIBEIRO FILHO

Ante, p 1462.

Supersession of original contract and authentication of new Agreement

Effective date.

49 Stat 3843.

Signatures.

do Governo Brasileiro, devendo todas as despesas d'ahi resultantes correr por conta do Governo dos ESTADOS UNIDOS DA AMERICA. Se, a pedido do Governo Brasileiro, algum membro da Missão fôr retirado e regressar por qualquer outra causa justa, que não a da terminação de seus serviços na Missão ou de doença, todas as despesas, com esse regresso, correrão por conta dos ESTADOS UNIDOS DA AMERICA.

Art. 27. Qualquer membro da Missão poderá ser exonerado, a seu pedido, pelo Governo dos ESTADOS UNIDOS DA AMERICA, depois de dois annos de serviço no BRASIL, sendo substituido em cada caso por um official de graduação e arma correspondentes, como preceitua o art. 6, e que seja acceito pelo Governo Brasileiro.

Art. 28. Nenhum membro da Missão, exonerado a seu pedido, antes de completar dois annos de serviço, terá as despesas de viagem de regresso, e de transporte de objectos e bagagem, pagas á custa do Governo Brasileiro, excepto em caso de doença.

Art. 29. Se algum membro da Missão for obrigado por doença a interromper o serviço, o Governo Brasileiro pagará as despesas de regresso do mesmo, de sua familia e respectiva bagagem, aos ESTADOS UNIDOS, na fórmula estipulada para os officiaes que tenham completado os dois annos de serviço.

Art. 30. Se algum membro da Missão, ou pessoa de sua familia, fallecer no BRASIL, o Governo Brasileiro fará transportar o corpo para a cidade dos ESTADOS UNIDOS que a familia do morto indicar. Se o morto fôr um dos contractados, o Governo Brasileiro pagará as despesas de viagem da familia e transporte de bagagens até Nova York.

Art. 31. No caso de substituição de um membro da Missão, todas as clausulas deste accôrdo, excepto no caso de disposição expressa em contrario, se applicarão ao substituido, inclusive as especificadas nos arts. 13 e 15.

TITULO VI

REVOGAÇÃO DO CONTRACTO ORIGINAL E AUTHENTICAÇÃO DO NOVO ACCÔRDO

Art. 32. A partir da data da assignatura deste novo accôrdo aqui especificado, pelos representantes autorizados dos ESTADOS UNIDOS DA AMERICA e dos ESTADOS UNIDOS DO BRASIL, elle entrará em pleno vigor e substituirá inteiramente e em todas as suas particularidades o contracto original, assignado a 10 de Maio de 1934 em WASHINGTON pelo Secretario de Estado dos ESTADOS UNIDOS DA AMERICA e o Embaixador do BRASIL nos ESTADOS UNIDOS DA AMERICA, e todos os accôrds supplementares ao mesmo.

Art. 33. EM TESTEMUNHO DO QUE, os abaixo assignados, devidamente autorizados, assignam o presente contracto em dois textos, cada um nos idiomas inglez e portuguez, no RIO DE JANEIRO, no dia doze de Novembro de mil nocentos e trinta e seis.

[SEAL]	R. M. SCOTTEN
[SEAL]	JOSÉ CARLOS DE MACEDO SOARES
[SEAL]	GEN. JOÃO GOMES RIBEIRO FILHO.

December 10 and 12,
1936
[E A S No 99]

Agreement between the United States of America and France providing for the suppression of customs frauds. Effected by exchange of notes; signed December 10 and 12, 1936; effective, December 15, 1936.

The French Minister for Foreign Affairs (Delbos) to the American Ambassador (Bullitt)

MINISTÈRE
DES
AFFAIRES ÉTRANGÈRES

SOUS-DIRECTION
DES AFFAIRES ADMINISTRATIVES
ET DES UNIONS INTERNATIONALES

PARIS, le 10 décembre 1936.

MONSIEUR L'AMBASSADEUR,

Agreement with
France providing for
reciprocal suppression
of customs frauds

J'ai l'honneur de faire savoir à Votre Excellence que le Gouvernement français est disposé, sous condition de réciprocité, à appliquer, à partir du 15 décembre 1936, les dispositions suivantes en vue de la répression des fraudes douanières par l'assistance mutuelle des Administrations douanières française et américaine:

"Article 1er.—L'Administration des Douanes des Etats-Unis d'Amérique et l'Administration française des Douanes se communiqueront mutuellement sans délai tous renseignements dont elles pourraient disposer à un moment quelconque au sujet des importations et exportations et qui seraient susceptibles de faciliter la répression de la contrebande ou de la fraude dans l'autre pays.

"Article 2.—En ce qui concerne les expéditions directes ou indirectes de marchandises entre les Etats-Unis d'Amérique ou leurs possessions et la France ou ses possessions, chacune des administrations intéressées enverra directement à l'autre, à la demande écrite de cette dernière, tous les renseignements qui pourraient être tirés des documents en sa possession (écritures, registres d'inscription, déclarations et autres documents douaniers). Ces documents ou des copies dûment authentifiées ou certifiées de ces documents pourront servir de preuve au cours des procédures ou des poursuites devant les tribunaux.

"Article 3.—Les fonctionnaires compétents des Gouvernements des Etats-Unis d'Amérique et de la France fourniront, respectivement, sur demande, aux fonctionnaires dûment autorisés de l'autre Gouvernement, des renseignements en ce qui concerne les congés des navires ou le transport des cargaisons quand l'importation ou l'exportation d'une partie quelconque du chargement transporté sera prohibée, limitée ou soumise au paiement de droits ou autres redevances, ou quand les fonctionnaires requérants soupçonneront les propriétaires ou les personnes en possession d'une partie quelconque du chargement d'avoir l'intention de violer les lois du Gouvernement requérant en ce qui concerne ce chargement.

"Article 4.—Il est entendu que les fonctionnaires de la douane et autres fonctionnaires administratifs du Gouvernement des Etats-Unis d'Amérique et de la France respectivement seront, sur la de-

mande des autorités compétentes de l'un des Gouvernements adressée aux autorités compétentes de l'autre Gouvernement, tenus de déposer en qualité de témoins et de produire tous registres et dossiers dont ils pourraient disposer, ou des copies dûment certifiées ou authentifiées de ces documents, qui pourraient être considérés comme essentiels au jugement d'affaires civiles ou criminelles devant les tribunaux de l'Etat au nom duquel la requête a été faite, pour autant que la production de ces documents soit compatible avec l'intérêt général de l'Etat auquel la requête a été adressée.

"Les frais de transcription de registres, de dépositions, certificats et commissions rogatoires dans les affaires civiles ou criminelles, et les frais de voyage aller et retour en première classe, de séjour et autres dépenses normales que pourrait comporter l'audition de ces témoins, seront payés par le Gouvernement qui requiert leur audition et ce au plus tard au moment où le tribunal décidera que leur présence n'est plus nécessaire dans ce procès. Les commissions rogatoires et les requêtes seront exécutées dans le plus bref délai possible et les copies de registres ou de documents officiels seront authentifiées ou certifiées d'urgence par les fonctionnaires compétents, conformément aux dispositions des lois des Etats respectifs".

Veuillez agréer, Monsieur l'Ambassadeur, les assurances de ma très haute considération.

Pr le Ministre des Affaires Etrangères
et par délégation,
L'Ambassadeur de France
Secrétaire Général
ALEXIS LEGER

Son Excellence

Monsieur WILLIAM CHRISTIAN BULLITT,
Ambassadeur des Etats-Unis d'Amérique
à Paris.

[Translation]

MINISTRY
OF
FOREIGN AFFAIRS

OFFICE OF
ADMINISTRATIVE AFFAIRS
AND INTERNATIONAL UNIONS

PARIS, December 10, 1936.

MR. AMBASSADOR:

I have the honor to advise Your Excellency that the French Government is disposed, on condition of reciprocity, to apply, on and after December 15, 1936, the following provisions, with a view to the suppression of customs frauds, through the mutual assistance of the French and American Customs Administrations.

"Article I. The Customs Administration of the United States of America and the French Customs Administration shall promptly communicate to each other all information at any time in their possession concerning imports and exports which might facilitate the suppression of smuggling or fraud in the other country.

"Article II. Concerning direct or indirect shipments of merchandise between the United States of America or its possessions and France or its possessions, each of the Administrations concerned shall send

directly to the other, upon the latter's written request, all information which may be gathered from documents in its possession (entries, registration records, declarations, and other customs documents). Such documents, or duly authenticated or certified copies thereof, may be used as evidence in proceedings or prosecutions in the courts.

"Article III. The appropriate officers of the Governments of the United States of America and France, respectively, shall furnish upon request to duly authorized officers of the other Government information concerning clearances of vessels or the transportation of cargoes, when the importation or exportation of any of the cargo carried is prohibited, restricted, or subject to the payment of duties or other exactions, or when the requesting officers suspect that the owners or persons in possession of any of the cargo intend to violate the laws of the requesting Government, in respect of such cargo.

"Article IV. It is agreed that the customs and other administrative officials of the Government of the United States of America and France, respectively, shall upon request of the competent authorities of one Government made of the competent authorities of the other Government, be directed to attend as witnesses and to produce such available records and files, or duly authenticated or certified copies thereof, as may be considered essential to the trial of civil or criminal cases in the courts of the country on whose behalf the request was made, and as may be produced compatibly with the public interest of the country of which the request was made.

"The cost of transcripts of records, depositions, certificates and letters rogatory in civil or criminal cases, and the cost of first-class transportation both ways, maintenance and other proper expenses involved in the attendance of such witnesses shall be paid by the Government requesting their attendance not later than at the time of their discharge by the court from further attendance at such trial. Letters rogatory and commissions shall be executed with all possible despatch and copies of official records or documents shall be authenticated or certified promptly by the appropriate officials in accordance with the provisions of the laws of the respective countries."

Please accept, Mr. Ambassador, the assurances of my very high consideration.

For the Minister of Foreign Affairs
and by authorization
The Ambassador of France
Secretary General
ALEXIS LEGER

His Excellency

MR. WILLIAM CHRISTIAN BULLITT,
Ambassador of the United States of America,
Paris.

The American Ambassador (Bullitt) to the French Minister for Foreign Affairs (Delbos)

No. 106 EMBASSY OF THE UNITED STATES OF AMERICA,
Paris, December 12, 1936.

Excellency:

Agreement by
United States.

I have the honor to acknowledge the receipt of Your Excellency's note of December 10, 1936, concerning cooperation between the

Customs Services of the United States of America and France for the suppression of frauds, and, in reply, to state that the American Government agrees to the following provisions, to become effective December 15, 1936, for this purpose:

"Article I. The Customs Administration of the United States of America and the French Customs Administration shall promptly communicate to each other all information at any time in their possession concerning imports and exports which might facilitate the suppression of smuggling or fraud in the other country.

"Article II. Concerning direct or indirect shipments of merchandise between the United States of America or its possessions and France or its possessions, each of the Administrations concerned shall send directly to the other, upon the latter's written request, all information which may be gathered from documents in its possession (entries, registration records, declarations, and other customs documents). Such documents, or duly authenticated or certified copies thereof, may be used as evidence in proceedings or prosecutions in the courts.

"Article III. The appropriate officers of the Governments of the United States of America and France, respectively, shall furnish upon request to duly authorized officers of the other Government information concerning clearances of vessels or the transportation of cargoes, when the importation or exportation of any of the cargo carried is prohibited, restricted, or subject to the payment of duties or other exactions, or when the requesting officers suspect that the owners or persons in possession of any of the cargo intend to violate the laws of the requesting Government in respect of such cargo.

"Article IV. It is agreed that the customs and other administrative officials of the Government of the United States of America and France, respectively, shall upon request of the competent authorities of one Government made of the competent authorities of the other Government, be directed to attend as witnesses and to produce such available records and files, or duly authenticated or certified copies thereof, as may be considered essential to the trial of civil or criminal cases in the courts of the country on whose behalf the request was made, and as may be produced compatibly with the public interest of the country of which the request was made.

"The cost of transcripts of records, depositions, certificates and letters rogatory in civil or criminal cases, and the cost of first-class transportation both ways, maintenance and other proper expenses involved in the attendance of such witnesses shall be paid by the Government requesting their attendance not later than at the time of their discharge by the court from further attendance at such trial. Letters rogatory and commissions shall be executed with all possible despatch and copies of official records or documents shall be authenticated or certified promptly by the appropriate officials in accordance with the provisions of the laws of the respective countries."

I avail myself of this occasion to renew to Your Excellency the assurance of my highest consideration.

WILLIAM C. BULLITT

His Excellency

Monsieur YVON DELBOS,

*Minister of Foreign Affairs,
Paris.*

October 29, 1936
December 21, 1936

Parcel post agreement between the United States of America and the Bahamas. Signed at Nassau, October 29, 1936, at Washington, December 21, 1936; approved by the President, December 29, 1936.

AGREEMENT BETWEEN THE BAHAMAS AND THE UNITED STATES OF AMERICA CONCERNING THE EXCHANGE OF PARCEL POST.

Parcel post agreement with the Bahamas.

The Undersigned, provided with full powers by their respective governments, have by mutual consent and subject to ratification by the competent superior authorities, drawn up the following Agreement:

ARTICLE I

Object

Object of the Agreement.

Territory embraced.

Between the United States of America (including Alaska, Puerto Rico, the Virgin Islands, Guam, Samoa and Hawaii) on one hand, and the Bahamas on the other hand, there may be exchanged, under the denomination of parcel post, parcels up to the maximum weight and the maximum dimensions indicated in the Regulations of Execution.

Post, p 1482

ARTICLE II

Transit parcels.

Transit Parcels.

Rights guaranteed.

1. Each Postal Administration guarantees the right of transit through its service, to or from any country with which it has parcel post communication, of parcels originating in or addressed for delivery in the service of the other contracting Administration.

Notices

2. Each Postal Administration shall inform the other to which countries parcels may be sent through it as intermediary, and the amount of the charges due to it therefor, as well as other conditions.

Intermediate Administration requirements.

3. To be accepted for onward transmission, parcels sent by one of the contracting Administrations through the service of the other Administration must comply with the conditions prescribed from time to time by the intermediate Administration.

ARTICLE III

Postage and fees

Prepayment of Postage and Fees.

Collection from sender.

1. The Administration of origin is entitled to collect from the sender of each parcel the postage and the fees for requests for information as to the disposal of a parcel made after it has been posted, and also, in the case of insured parcels, the insurance fees and the fees for return receipts that may from time to time be prescribed by its regulations.

Prepayment.

2. Except in the case of returned or redirected parcels, prepayment of the postage and such of the fees mentioned in the preceding section as are applicable, is compulsory.

ARTICLE IV

Preparation of Parcels.

Every parcel shall be packed in a manner adequate for the length of the journey and the protection of the contents as set forth in the Regulations of Execution.

Preparation of parcels

Packing.
Post, p. 1482.

ARTICLE V

Prohibitions.

1. The following articles are prohibited transmission by parcel post:

(a) A letter or a communication having the nature of a letter. Nevertheless, it is permitted to enclose in a parcel an open invoice, confined to the particulars which constitute an invoice, and also a simple copy of the address of the parcel, with mention of the address of the sender.

(b) An enclosure which bears an address different from that placed on the cover of the parcel.

(c) Any live animal, except leeches.

(d) Opium, morphine, cocaine and other narcotics.

(e) Any article the admission of which is forbidden by the customs or other laws or regulations in force in either country.

(f) Any explosive or inflammable article, and in general any article the conveyance of which is dangerous, including articles which from their nature or packing may be a source of danger to postal employees, or may soil or damage other parcels.

(g) Obscene or immoral articles.

(h) It is, moreover, forbidden to send coin, bank notes, currency notes, or any kind of securities payable to bearer, platinum, gold or silver (whether manufactured or unmanufactured), precious stones, jewels, or other precious articles in uninsured parcels.

2. When a parcel contravening any of these prohibitions is handed over by one Administration to the other, the latter shall proceed in accordance with its laws and inland regulations. Explosive or inflammable articles, as well as documents, pictures and other articles injurious to public morals may be destroyed on the spot by the Administration which has found them in the mails.

The fact that a parcel contains a letter, or a communication having the nature of a letter, may not, in any case, entail the return of the parcel to the sender. The letter is, however, marked for the collection of postage due from the addressee at the regular rate.

The two Administrations advise each other, by means of the List of Prohibited Articles published by the International Bureau of the Universal Postal Union, of all prohibited articles. However, they do not on that account assume any responsibility towards the customs or police authorities, or the sender.

3. If parcels wrongly admitted to the post are neither returned to origin nor delivered to the addressee, the Administration of origin must be informed in a precise manner of the treatment accorded to the parcels.

ARTICLE VI

Insurance.

Parcels may be insured up to the amount of 500 gold francs or its equivalent in the currency of the country of origin. However, the Chiefs of the Postal Administrations of the two contracting countries may, by mutual consent, increase or decrease this maximum amount of insurance.

Prohibitions.

Articles specified.

Letters, etc.

Enclosure with different address

Live animals

Narcotics

Nonadmissible articles.

Explosive, etc., articles.

Obscene, etc., articles.

Designated uninsured articles

Prohibited articles erroneously handled.

Parcel containing a letter

List of Prohibited Articles.

Treatment of wrongly admitted parcels.

Insurance.

Maximum amount.

Limitation.

A parcel cannot give rise to the right to an indemnity higher than the actual value of its contents, but it is permissible to insure it for only part of that value.

ARTICLE VII

Responsibility. Indemnity.

Responsibility—Indemnity.

Nonresponsibility for loss of ordinary parcel

Allowance to sender.

1. The Postal Administrations of the two contracting countries will not be responsible for the loss, abstraction or damage of an ordinary parcel.

2. Except in the cases mentioned in the Article following, the Administrations are responsible for the loss of insured parcels mailed in one of the two contracting countries for delivery in the other and for the loss, abstraction of, or damage to, their contents, or a part thereof.

The sender, or other rightful claimant, is entitled to compensation corresponding to the actual amount of the loss, abstraction or damage. The amount of indemnity is calculated on the basis of the actual value (current price, or, in the absence of current price, the ordinary estimated value) at the place where and the time when the parcel was accepted for mailing, provided in any case that the indemnity may not be greater than the amount for which the parcel was insured, and on which the insurance fee has been collected, or the maximum amount of 500 gold francs.

Indirect damages or loss of profits.

3. No indemnity is paid for indirect damages or loss of profits resulting from the loss, rifling, damage, non-delivery, misdelivery or delay of an insured parcel dispatched in accordance with the conditions of the present Agreement.

Return of postage on loss of parcel.

4. In the case where indemnity is payable for the loss of a parcel or for the destruction or abstraction of the whole of the contents thereof, the sender is entitled to return of the postal charges, if claimed. However, the insurance fees are not in any case returned.

Parcels originating in a third country.

5. In the absence of special agreement to the contrary between the countries involved, which agreement may be made by correspondence, no indemnity will be paid by either country for the loss, rifling or damage of transit insured parcels, that is, parcels originating in a country not participating in this Agreement and destined for one of the two contracting countries or parcels originating in one of the two contracting countries and destined for a country not participating in this Agreement.

Parcels reforwarded to a third country.

6. When an insured parcel originating in one country and destined to be delivered in the other country is reforwarded from there to a third country or is returned to a third country at the request of the sender or of the addressee, the party entitled to the indemnity in case of loss, rifling or damage occurring subsequent to the reforwarding or return of the parcel by the original country of destination, can lay claim, in such a case, only to the indemnity which the country where the loss, rifling or damage occurred consents to pay, or which that country is obliged to pay in accordance with the agreement made between the countries directly interested in the reforwarding or return. Either of the two countries signing the present Agreement which wrongly forwards an insured parcel to a third country is responsible to the sender to the same extent as the country of origin, that is, within the limits of the present Agreement.

Responsibility for error

Defects in packing, etc.

7. The sender is responsible for defects in the packing and insufficiency in the closing and sealing of insured parcels. Moreover, the two Administrations are released from all responsibility in case of loss, rifling or damage caused by defects not noticed at the time of mailing.

ARTICLE VIII

Exceptions to the Principle of Responsibility.

The Administrations are relieved from all responsibility:

(a) In case of parcels of which the addressee has accepted delivery without reservation;

(b) In case of loss or damage through force majeure (causes beyond control) although either Administration may at its option and without recourse to the other Administration pay indemnity for loss or damage due to force majeure even in cases where the Administration of the country in the service of which the loss or damage occurred recognizes that the damage was due to force majeure. The country responsible for the loss, abstraction or damage, must decide, in accordance with its internal legislation, whether this loss, abstraction or damage was due to circumstances constituting a case of "force majeure";

(c) When, their responsibility not having been proved otherwise, they are unable to account for parcels in consequence of the destruction of official documents through force majeure;

(d) When the damage has been caused by the fault or negligence of the sender or the addressee or the representative of either, or when it is due to the nature of the article;

(e) For parcels which contain prohibited articles;

(f) In case the sender of an insured parcel, with intent to defraud, shall declare the contents to be above their real value; this rule, however, shall not prejudice any legal proceedings necessitated by the legislation of the country of origin;

(g) For parcels seized by the Customs because of false declaration of contents;

(h) When no inquiry or application for indemnity has been made by claimant or his representative within a year commencing with the day following the posting of the insured parcel;

(i) For parcels which contain matter of no intrinsic value or perishable matter or which did not conform to the stipulations of this Agreement or which were not posted in the manner prescribed, but the country responsible for the loss, rifling or damage may pay indemnity in respect of such parcels without recourse to the other Administration.

Exceptions to principle of responsibility.

Unconditional acceptance.

Loss, etc., through force majeure.

Destruction of official documents.

Damage through fault of sender, addressee, etc.

Prohibited articles.

Declared above real value.

Seized, because of false declaration

Unclaimed within a year.

Matter of no intrinsic value, etc.

ARTICLE IX

Termination of Responsibility.

Administrations cease to be responsible for parcels of which they have effected delivery in accordance with their internal regulations for parcels of the same nature.

Responsibility is, however, maintained when the addressee or, in case of return, the sender makes reservations in taking delivery of a parcel the contents of which have been abstracted or damaged.

Termination of responsibility, exception.

ARTICLE X

Obligation to pay Compensation.

The obligation to pay compensation, as well as the postage charges due to be refunded, rests with the Administration to which the office of origin of the parcel is subordinate. However, in cases where the compensation is paid to the addressee in accordance with Article VII, Section 2, second paragraph, the obligation shall rest with the Administration of destination.

The paying Administration retains the right to make a claim against the Administration responsible.

Obligation to pay compensation.

Country responsible.

Ante, p. 1474.

Claim for repayment.

ARTICLE XI

Period for Payment of Compensation.

Period for payment.

1. The payment of compensation for an insured parcel shall be made to the rightful claimant as soon as possible and at the latest within a period of one year counting from the day following that on which the application is made.

Deferred payments
in exceptional cases

However, the Administration responsible for making payment may exceptionally defer payment of indemnity for a longer period than that stipulated if, at the expiration of that period, it has not been able to determine the disposition made of the article in question or the responsibility incurred.

Payment where
office delays nine
months

2. Except in cases where payment is exceptionally deferred as provided in the second paragraph of the foregoing section, the Postal Administration which undertakes the payment of compensation is authorized to pay indemnity on behalf of the Office, which, after being duly informed of the application for indemnity, has let nine months pass without settling the matter.

ARTICLE XII

Fixing of Responsibility.

Responsible office

1. Until the contrary is proved, responsibility for an insured parcel rests with the Administration which, having received the parcel without making any reservations and being put in possession of all the regulation means of investigation, cannot establish the disposal of the parcel.

2. When the loss, rifling or damage of an insured parcel is detected upon opening the receptacle at the receiving exchange office and has been regularly pointed out to the dispatching exchange office, the responsibility falls on the Administration to which the latter office belongs, unless it be proved that the irregularity occurred in the service of the receiving Administration.

Loss, etc., in transit.

3. If the loss, rifling or damage has taken place in the course of transportation, without its being possible to establish on the territory or in the service of which country the act took place, the offices involved bear the loss in equal shares.

Rights assumed by
paying office

4. The Administration paying compensation takes over, to the extent of the amount paid, the rights of the person who has received it, in any action which may be taken against the addressee, the sender or a third party.

If lost parcel is
found

5. If a parcel which has been regarded as lost is subsequently found the person to whom compensation has been paid must be informed that he is at liberty to take possession of the parcel against repayment of the amount of compensation.

ARTICLE XIII

Repayment of Compensation.

Repayment to coun-
try paying.

1. The Administration responsible for the loss, rifling or damage and on whose account the payment is effected, is bound to repay the amount of the indemnity to the country which has effected payment. This reimbursement must take place without delay, and at the latest within the period of nine months after notification of payment.

Without expense.

2. These repayments to the creditor country must be made without expense for that Office, by money order or draft, in money valid in

the creditor country or in any other way to be agreed upon mutually by correspondence.

3. The reimbursement of the indemnities must be effected on the basis of gold money.

Reimbursement on gold basis

ARTICLE XIV

Fee for Customs Clearance.

Customs clearance.

The office of delivery may collect from the addressee either in respect of delivery to the Customs and clearance through the Customs or in respect of delivery to the Customs only, a fee not exceeding 50 centimes gold per parcel.

Fee.

ARTICLE XV

Delivery to the Addressee. Fee for Delivery at the Place of Address.

Delivery.

Parcels are delivered to the addressees as quickly as possible in accordance with the conditions in force in the country of destination. This country may collect in respect of delivery of parcels to the addressee a fee not exceeding 50 centimes gold per parcel. The same fee may be charged, if the case arises, for each presentation after the first at the addressee's residence or place of business.

To addressee.

Fee.

ARTICLE XVI

Warehousing Charges.

The country of destination is authorized to collect the warehousing charge fixed by its legislation for parcels addressed "General Delivery" or which are not claimed within the prescribed period. This charge may in no case exceed five francs gold.

Warehousing charges.

ARTICLE XVII

Customs Charges.

The parcels are subject to all customs laws and regulations in force in the country of destination. The duties collectible on that account are collected from the addressee on delivery of the parcel in accordance with the customs regulations of the country of destination.

Customs charges; imposed by country of destination

ARTICLE XVIII

Customs Charges to be Cancelled.

The customs charges on parcels sent back to the country of origin or redirected to another country shall be cancelled both in the Bahamas and in the United States of America.

Cancellation, if returned or redirected.

ARTICLE XIX

Recall and Change of Address.

So long as a parcel has not been delivered to the addressee, the sender may recall it or cause its address to be changed. The Postal Administration of the country of origin may collect and retain, for this service, the charge fixed by its regulations. The requests for recall or change of address of parcels to be delivered in the United States of America shall be addressed to the Central Administration at Washington; those relating to parcels for delivery in the Bahamas shall be addressed to the Parcel Post Branch, Nassau, Bahamas.

Recall and change of address.

ARTICLE XX

Certificate of Mailing. Receipts.

Certificate of mailing

Furnished sender on request

The sender will, on request at the time of mailing an ordinary (uninsured) parcel, receive a certificate of mailing from the post office where the parcel is mailed, on a form provided for the purpose; and each country may fix a reasonable fee therefor.

Receipt.

The sender of an insured parcel receives without charge, at the time of posting, a receipt for his parcel.

ARTICLE XXI

Return Receipts and Inquiries.

Return receipts and inquiries.

Advice of delivery, charge

1. The sender of an insured parcel may obtain an advice of delivery upon payment of such additional charges, if any, as the country of origin of the parcel shall stipulate and under the conditions laid down in the Regulations.

Inquiry charge.

2. A fee may be charged, at the option of the country of origin, on a request for information as to the disposal of an ordinary parcel and also for an insured parcel made after it has been posted if the sender has not already paid the special fee to obtain an advice of delivery.

Inquiry relative to irregularity.

3. A fee may also be charged, at the option of the country of origin, in connection with any complaint of any irregularity which prima facie was not due to the fault of the Postal Service.

ARTICLE XXII

Missent Parcels.

Missent parcels.

Ordinary parcels.

Ordinary parcels, when missent, are reforwarded to their correct destination by the most direct route at the disposal of the reforwarding Administration. They must not be charged with Customs or other charges by that Administration. Insured parcels, when missent, may not be reforwarded to their destination except as insured mail. If this is impossible, they must be returned to origin.

Refunding, if parcel returned.

When the reforwarding involves return of the parcel to the office of origin, the retransmitting Administration refunds to that office the credits received and reports the error by a Bulletin of Verification.

Reforwarding to a third country.

When the reforwarding involves dispatch of a parcel to a third country and if the amount credited to the retransmitting Administration is insufficient to cover the expenses of retransmission which it has to defray, the retransmitting Administration allows to the Administration to which it forwards the parcel the credits due it; it then recovers the amount of the deficiency by claiming it from the office of exchange from which the missent parcel was directly received. The reason for this claim is notified to the latter by means of a Bulletin of Verification.

ARTICLE XXIII

Reforwarding.

Redirection within country.

1. A parcel may be redirected in consequence of the addressee's change of address in the country of destination, at the request of either the sender or the addressee.

Charges.

The reforwarding of a parcel within one of the contracting countries gives rise to the collection of the supplementary charges pro-

vided for by the Administration of that country. The same is true, if occasion arises, in regard to the delivery of such parcel to another person at the original place of destination. These charges shall not be cancelled even in case the parcel is returned to origin or reforwarded to another country.

2. If a parcel must be reforwarded to one of the two countries signatory to the present Agreement, it is liable to new postage charges, and, if occasion arises, new insurance fees, unless such charges and fees have been paid in advance. The new postage and fees are collected from the addressee by the Administration effecting the delivery. Insured parcels must be reforwarded as such.

3. At the request of the sender or addressee, parcels may also be reforwarded or returned to another country. Insured parcels may not, however, be reforwarded or returned except as such. The senders may mark the parcels: "Do not forward to a third country". In that case, the parcels must not be reforwarded to any other country. In case of loss, rifling or damage of an insured parcel reforwarded to another country or returned by that country, the indemnity is decided upon exclusively in accordance with the provisions of Article VII, Section 6.

Reforwarding to one of signatory countries.

Parcels reforwarded or returned to another country.

Ante, p. 1474.

ARTICLE XXIV

Non-delivery.

1. Undeliverable parcels returned to the sender are liable to new postage charges as well as insurance fees if necessary, and are returned as parcels of the same class in which they were received. The charges are collectible from the sender and are collected by the Administration delivering the parcels to him.

2. At the time of mailing, the sender must state how his parcel is to be disposed of in the event of non-delivery; that is, the sender must mark the parcel and the customs declarations with one of the following notes:

- "In case of non-delivery, the parcel should be returned immediately";
- "In case of non-delivery, the parcel should be considered as abandoned";
- "In case of non-delivery, the parcel should be delivered to-----".

No note other than those provided for above, or note of similar import, is permitted, except as provided in Article XXIII, Section 3.

3. Barring contrary instructions, undeliverable parcels are returned to origin, without previous notification, 30 days after their arrival at the office of destination. Parcels which the addressee refuses to accept shall be returned immediately. In all cases, the reason for non-delivery must be indicated on the parcel.

4. Parcels liable to deterioration or corruption may be sold immediately, even en route, on the outward or return voyage, without previous notice and without judicial formality, for the benefit of the rightful party.

If, for any reason sale is impossible, the deteriorated or corrupted articles are destroyed. The sale or destruction gives rise to the making of a report which is sent to the Administration of origin.

5. Undeliverable parcels which the sender has abandoned may, at the expiration of a 30-day period, be sold for the profit of the Administration of the country of destination. However, in the case of an insured parcel, a report is made up, which must be sent to the Administration of the country of origin. Likewise, the Administra-

Non-delivery

Returned to sender; new charges, etc.

Treatment, in case of non-delivery.

Restriction.

Undeliverable parcels, return to place of origin.

Parcels liable to deterioration.

Abandoned parcels.

tion of the country of origin must be advised when an insured parcel which is undeliverable is not returned to origin.

Provisions governing non-deliverable parcel.

6. The provisions of Article XXV, Section 2, shall be applied to a parcel which is returned in consequence of non-delivery.

ARTICLE XXV

Charges.

Charges.

Credits.

Post, p 1482.

In case of reforwarding, etc.

1. For each parcel exchanged between the contracting countries, the dispatching Office credits to the Office of destination in the parcel bills the quotas due to the latter, and indicated in the Regulations of Execution.

2. In case of reforwarding or return to origin of a parcel, if new postage and new insurance fees (in the case of insured parcels) are collected by the redispaching Office, the parcel is treated as if it had originated in that country. Otherwise, the redispaching Office recovers from the other Office the quota due to it, namely, as the case may be:

(a) the charges prescribed by Section 1 above;

(b) the charges for reforwarding or return.

Parcels to or from a third country

In case of reforwarding or return to a third country, the accrued charges, that is, such of the charges mentioned in (a) and (b) above as are applicable, shall follow the parcel, but in the case that the third country concerned refuses to assume the charges because they cannot be collected from the addressee or sender, as the case may be, or for any other reason, they shall be charged back to the country of origin.

In the case of a parcel returned or reforwarded in transit through one of the two Administrations to or from the other, the intermediary Administration may claim also the sum due to it for any additional territorial or sea service provided, together with any amounts due to any other Administration or Administrations concerned.

ARTICLE XXVI

Charges other than prescribed.

Restriction on collection.

Postal Charges other than those prescribed not to be collected.

The parcels to which this Agreement applies shall not be subject to any postal charges other than those contemplated by the different articles hereof.

ARTICLE XXVII

Air parcels.

Air Parcels.

Surtax.

The Chiefs of the Postal Administrations of the two contracting countries have the right to fix by mutual consent the air surtax and other conditions in the case where the parcels are conveyed by air routes.

ARTICLE XXVIII

Temporary Suspension of Service.

Temporary suspension of service.

In extraordinary circumstances such as will justify the measure, either Administration may temporarily suspend the parcel-post service, either entirely or partially, or restrict it to certain offices, on condition of giving immediate notice, if necessary by telegraph, to the other Administration.

ARTICLE XXIX

Matters not provided for in the present Agreement.

1. Unless they are provided for in the present Agreement, all questions concerning requests for recall or change of address of parcels and the obtaining and disposition of return receipts and settlement of indemnity claims in connection with insured parcels shall be treated in accordance with the provisions of the Universal Postal Convention and its Regulations of Execution, in so far as they are applicable and are not contrary to the foregoing provisions. If the case is not provided for at all, the domestic legislation of the United States of America or the Bahamas, or the decisions made by one country or the other, are applicable in the respective country.

Matters not herein provided for.

Universal Postal Convention, etc., provisions to govern. 49 Stat. 2741.

2. The details relative to the application of the present Agreement will be fixed by the two Administrations in Regulations of Execution, the provisions of which may be modified or completed by common consent by way of correspondence. A similar agreement through correspondence may be made with a view to the exchange of collect-on-delivery parcels.

Details to be fixed by common consent.

3. The two Administrations notify each other mutually of their laws, ordinances and tariffs concerning the exchange of parcel post, as well as of all modifications in rates which may be subsequently made.

Mutual notice of postal laws, etc.

ARTICLE XXX

Duration of the Agreement.

1. This Agreement substitutes and abrogates the Parcel Post Convention signed at Washington, December 20, 1887, and at Nassau, January 9, 1888.

Former Convention abrogated 25 Stat. 1407.

2. It shall become effective on ratification, but pending ratification, it may be put into force administratively on a date to be mutually settled between the Administrations of the two countries.

Entry into force, etc.

3. It shall remain in effect as long as it has not been terminated six months in advance by one or the other of the two Administrations.

Duration.

Done in duplicate and signed at Washington, the 21st day of December 1936, and at Nassau, the 29th day of October 1936.

Signatures.

J. HERBERT PEET,
The Colonial Postmaster, The Bahamas.

[SEAL] JAMES A FARLEY,
The Postmaster General of the United States of America.

The foregoing Agreement between the United States of America and the Bahamas for the exchange of parcels by parcel post has been negotiated and concluded with my advice and consent and is hereby approved and ratified.

Approval by the President.

In testimony whereof I have caused the seal of the United States to be hereunto affixed.

[SEAL] FRANKLIN D ROOSEVELT

By the President:

R. WALTON MOORE

Acting Secretary of State.

WASHINGTON, December 29, 1936.

REGULATIONS OF EXECUTION FOR THE PARCEL POST AGREEMENT

Regulations for execution

The following detailed Regulations for the Execution of the Parcel Post Agreement have been agreed upon by the Chiefs of the Postal Administrations of the United States of America and the Bahamas.

ARTICLE 1

Limits of Weight and Size.

Limits of weight and size.

1. The parcels to be exchanged under the provisions of this Agreement may not exceed 22 pounds in weight nor the following dimensions:

Greatest length 4 feet, on condition that parcels over 42 inches but not over 44 inches long do not exceed 24 inches in girth; that parcels over 44 inches but not over 46 inches long do not exceed 20 inches in girth; that parcels over 46 inches but not over 48 inches long do not exceed 16 inches in girth; and that parcels up to 3½ feet in length do not exceed 6 feet in length and girth combined.

The limit of weight and maximum dimensions stated above may be changed from time to time by agreement made through correspondence.

2. In regard to the exact calculation of the weight and dimensions, the indications furnished by the dispatching office will be accepted save in the case of obvious error.

ARTICLE 2

Preparation of Parcels.

Preparation of parcels.

1. The name and address of the sender and of the addressee must be written legibly and correctly on the parcel itself if possible or on a label or tag securely affixed to the parcel.

It is recommended¹ that a duplicate of the address be inserted in every parcel, especially when the use of a tag for the address is rendered necessary by the packing or form of the parcel.

Parcels on which the name of the sender or of the addressee is indicated merely by initials are not admitted, unless the initials are the adopted trade name of the sender or addressee which is generally understood.

Addresses in ordinary pencil are not admitted. However, addresses written in indelible pencil on a previously dampened surface are accepted.

2. Each parcel must be packed in such a manner that the contents are protected over the whole route, and in such a way as to prevent the contents from damaging other parcels or objects or injuring postal agents. The packing must protect the contents sufficiently that, in case of rifling, the traces thereof may be easily discovered.

Insured parcels must be closed and securely sealed with wax or otherwise. Ordinary parcels may be sealed at the option of the sender, or careful tying is sufficient as a mode of closing.

As a protective measure, either Administration may require that a special imprint or mark of the sender appear on the wax or lead seals closing insured parcels mailed in its service.

¹ So in original.

The Customs Administration of the country of destination is authorized to open the parcels in order to inspect the contents. To that end, the seals or any other fastenings may be broken. Parcels opened by the Customs must be refastened and also officially resealed, except in the case of ordinary parcels which were not sealed by the senders in the first instance.

3. Each insured parcel must bear on the address side an insurance number and must bear a label with the word "Insured" or this word must be marked or stamped on the parcel.

4. For insured parcels, the amount of insured value must appear on the parcel in currency of the country of origin, in Roman letters written out in full and in Arabic figures. Also, the exact weight of each parcel in pounds and ounces must be entered by the Administration of origin (a) on the address side of the parcel and (b) on the customs declaration in the place reserved for this purpose.

5. The labels or postage stamps affixed to insured parcels must be spaced so that they cannot serve to conceal injuries to the packing. Neither may they be folded over two faces of the wrapping so as to cover the edge.

6. Liquids and easily liquefiable substances must be sent in a double receptacle. Between the first (bottle, flask, box, etc.) and the second (box of metal, strong wood, strong corrugated cardboard or strong carton of fibre-board, or receptacle of equal strength), there must be left a space to be filled with sawdust, bran or other absorbent material, in sufficient quantity to absorb all the liquid in case that the receptacle is broken.

7. Powders and dyes in powder form must be packed in strong boxes of tin or other metal, which, after soldering, must be placed in turn in substantial outer covers in such a way as to avoid all damage to other articles.

ARTICLE 3

Customs Declarations.

1. The sender shall prepare one customs declaration for each parcel sent from either country, upon a special form provided for the purpose by the country of origin.

The customs declaration shall give a general description of the parcel, an accurate statement in detail of its contents and value, date of mailing, gross and net weight, the sender's name and address, and the name and address of the addressee, and shall be securely attached to the parcel.

However, as an exception to the foregoing, when more than one parcel is mailed simultaneously by the same sender in the United States of America to the same addressee at the same address in the Bahamas and vice versa, the sender need prepare only one customs declaration for the entire shipment, which customs declaration shall show, in addition to the particulars set forth in the preceding paragraph, the total number of parcels comprising the shipment, and shall be securely attached to one of the parcels. The parcels comprising the entire shipment shall be clearly marked in such case with a fractional number, the numerator of which will indicate, in Arabic figures, the number of the parcel and the denominator the number of parcels comprising the shipment; for example: If a single shipment were composed of 15 parcels each parcel would be numbered, respectively, 1/15, 2/15, 3/15, etc.

2. The Administrations accept no responsibility for the correctness of the customs declarations.

Customs
declarations.

ARTICLE 4

Return Receipts.

Return receipts.

1. As to a parcel for which a return receipt is asked, the office of origin places on the parcel the letters or words "A. R." or "Avis de Réception" or "Return receipt requested". The office of origin or any other office appointed by the dispatching Administration shall fill out a return receipt form and attach it to the parcel. If the form does not reach the office of destination, that office makes out a duplicate.

2. The office of destination, after having duly filled out the return receipt form, returns it free of postage to the address of the sender of the parcel.

3. When the sender applies for a return receipt after a parcel has been mailed, the office of origin duly fills out a return receipt form and attaches it to a form of inquiry which is entered with the details concerning the transmission of the parcel and then forwards it to the office of destination of the parcel. In the case of the due delivery of the parcel, the office of destination withdraws the inquiry form, and the return receipt is treated in the manner prescribed in the foregoing Section.

ARTICLE 5

Receptacles.

Receptacles.

1. The Postal Administrations of the two contracting countries shall provide the respective bags necessary for the dispatch of their parcels and each bag shall be marked to show the name of the office or country to which it belongs.

2. Bags must be returned empty to the dispatching office by the next mail. Empty bags to be returned are made up in bundles of ten, enclosing nine bags in one. The total number of bags returned shall be entered on the relative parcel bills.

3. In case ten per cent of the total number of bags used during the year have not been returned, the value of the missing bags must be repaid to the Administration of origin.

ARTICLE 6

Method of Exchange of Parcels.

Method of exchange of parcels.

1. The parcels shall be exchanged, in sacks duly fastened and sealed, by the offices appointed by agreement between the two Administrations, and shall be dispatched to the country of destination by the country of origin at its cost and by such means as it provides.

2. Insured parcels shall be enclosed in separate sacks from those in which ordinary parcels are contained, and the labels of sacks containing insured parcels shall be marked with such distinctive symbols as may from time to time be agreed upon.

ARTICLE 7

Billing of Parcels.

Billing of parcels.

1. Separate parcel bills must be prepared for the ordinary parcels on the one hand, and for the insured parcels on the other hand.

The parcel bills are prepared in duplicate. The original is sent in the regular mails, while the duplicate is inserted in one of the sacks. The sack containing the parcel bill is designated by the letter "F" traced in a conspicuous manner on the label.

2. The ordinary parcels included in each dispatch to the United States of America are to be entered on the parcel bills to show the total number of parcels and the total net weight thereof. The ordinary parcels included in each dispatch to the Bahamas are to be entered on the parcel bills to show the total number of parcels.

3. Insured parcels shall be entered individually on the parcel bills to show the insurance number and the name of the office of origin. In the case of insured parcels for the United States of America, the total net weight of the parcels must also be shown.

4. Parcels sent "à découvert" must be entered separately on the parcel bills.

5. Returned or redirected parcels must be entered individually on the parcel bills and be followed by the word "Returned" or "Redirected" as the case may be. A statement of the charges which may be due on these parcels should be shown in the "Observations" column.

6. The total number of sacks comprising each dispatch must also be shown on the parcel bills.

7. Each dispatching exchange office numbers the parcel bills in the upper left-hand corner in accordance with an annual series. The last number of the preceding year must be mentioned on the first bill of the following year.

8. The exact method of advising parcels or the receptacles containing them sent by one Administration in transit through the other, together with any details of procedure in connection with the advice of such parcels or receptacles for which provision is not made in this Agreement, shall be settled by mutual consent through correspondence between the two Administrations.

ARTICLE 8

Verification by the Exchange Office.

1. Upon receipt of a dispatch, the exchange office of destination proceeds to verify it. The entries in the parcel bill must be verified exactly. Each error or omission must be brought immediately to the knowledge of the dispatching exchange office by means of a bulletin of verification. A dispatch is considered as having been found in order in all regards when no bulletin of verification is made up.

If any error or irregularity is found upon receipt of a dispatch, all objects which may serve later on for investigations, or for examination of requests for indemnity, must be kept.

2. The dispatching exchange office to which a bulletin of verification is sent returns it after having examined it and entered thereon its observations, if any. That bulletin is then attached to the parcel bills of the parcels to which it relates. Corrections made on a parcel bill which are not justified by supporting papers are considered as devoid of value.

3. If necessary, the dispatching exchange office may also be advised by telegram, at the expense of the Office sending such telegram.

4. In case of shortage of a parcel bill, a duplicate is prepared, a copy of which is sent to the exchange office of origin of the dispatch.

5. The office of exchange which receives from a corresponding office a parcel which is damaged or insufficiently packed must re-dispatch such parcel after repacking, if necessary, preserving the original packing as far as possible.

If the damage is such that the contents of the parcel may have been abstracted, the office must first officially open the parcel and verify its contents.

Verification by exchange office

In either case, the weight of the parcel will be verified before and after repacking, and indicated on the wrapper of the parcel itself. That indication will be followed by the note "Repacked at . . .", and the signature of the agents who have effected such repacking.

ARTICLE 9

Payment.

Payment.

1. For each parcel, ordinary or insured, sent to the Bahamas, payment shall be made at the rate of 1 gold franc per parcel.

2. For each parcel, ordinary or insured, sent to the United States of America or to its possessions, payment shall be made as follows, based on the bulk net weight of each dispatch:

0.32	gold francs per pound for parcels for the United States of America
0.16	" " " " " " " " " Virgin Islands, Hawaii, Puerto Rico, Guam and Samoa
0.32	" " " " " " " " " Alaska

3. In addition, there shall be paid the following transit charges for parcels, ordinary or insured, for the possessions of the United States of America, based on the bulk net weight of each dispatch:

0.32	gold francs per pound when only sea service is provided
0.52	" " " " " " " " " land " " "
0.68	" " " " " " " " " both land and sea services are provided.

4. The terminal quotas and transit charges above mentioned may be reduced or increased on three months' previous notice given by one country to the other. The reduction or increase shall remain in force for at least one year.

ARTICLE 10

Accounting.

Accounting.

1. At the end of each quarter, each Administration makes up an account on the basis of the parcel bills.

2. These accounts accompanied by the parcel bills, and, if any, copies of verification notes relating thereto shall be submitted to the examination of the corresponding Administration in the course of the month following the quarter to which they relate.

3. The recapitulation, transmission, examination and acceptance of these accounts must not be delayed, and the payment of the balance shall take place at the latest at the expiration of the following quarter.

4. The balance resulting from the adjustment of the accounts between the two Administrations is paid by a sight draft drawn on New York, or by some other means mutually agreed upon by correspondence. The expenses of payment are chargeable to the debtor Administration.

ARTICLE 11

Miscellaneous Notifications.

Miscellaneous notifications.

The Administrations shall communicate to each other a summary of the provisions of their laws or regulations applicable to the parcels exchanged between the two contracting countries, and other items necessary for carrying out the exchange of parcels.

These Regulations shall come into operation on the day on which the Parcel Post Agreement comes into force and shall have the same duration as the Agreement. Effective date and duration.

Done in duplicate and signed at Washington, the 21st day of December 1936, and at Nassau, the 29th day of October 1936. Signatures.

J. HERBERT PEET,
The Colonial Postmaster, The Bahamas.

[SEAL]

JAMES A FARLEY
Postmaster General of the United States of America.

The foregoing Regulations for the Execution of the Parcel Post Agreement between the United States of America and the Bahamas have been negotiated and concluded with my advice and consent and are hereby approved and ratified. Approval by the President.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

R. WALTON MOORE

Acting Secretary of State.

WASHINGTON, December 29, 1936.

December 18, 1936
January 5, 1937

Parcel post agreement between the United States of America and Gibraltar with regulations of execution. Signed at Gibraltar, December 18, 1936, at Washington, January 5, 1937; approved by the President, January 13, 1937.

AGREEMENT

BETWEEN

THE POSTAL ADMINISTRATION OF GIBRALTAR AND THE POSTAL ADMINISTRATION OF THE UNITED STATES OF AMERICA CONCERNING THE EXCHANGE OF PARCEL POST.

Parcel post agree-
ment with Gibraltar.

The undersigned, for and on behalf of the Postal Administrations of the United States of America and Gibraltar (which are herein-after severally referred to as "Postal Administration" or as "Administration") provided with full powers by their respective governments, have by mutual consent drawn up and agree to be bound by the following Agreement:

ARTICLE I.

Object

Object of the Agreement.

Territory embraced.

Between the United States of America (including Alaska, Puerto Rico, the Virgin Islands, Guam, Samoa, and Hawaii) on one hand, and Gibraltar on the other hand, there may be exchanged, under the denomination of parcel post, parcels up to the maximum weight and the maximum dimensions indicated in the Regulations of Execution.

Post, p 1498

ARTICLE II.

Transit parcels

Transit Parcels.

Rights guaranteed.

1. Each Postal Administration guarantees the right of transit through its service, to or from any country with which it has parcel post communication, of parcels originating in or addressed for delivery in the service of the other contracting Administration.

Notices

2. Each Postal Administration shall inform the other to which countries parcels may be sent through it as intermediary, and the amount of the charges due to it therefor, as well as other conditions.

Intermediate Ad-
ministration, require-
ments.

3. To be accepted for onward transmission, parcels sent by one of the contracting Administrations through the service of the other Administration must comply with the conditions prescribed from time to time by the intermediate Administration.

ARTICLE III.

Postage and fees.

Prepayment of Postage and Fees.

Collection, from
sender.

1. The Administration of origin is entitled to collect from the sender of each parcel the postage and the fees for requests for information as to the disposal of a parcel made after it has been posted,

and also, in the case of insured parcels, the insurance fees and the fees for return receipts, that may from time to time be prescribed by its regulations.

2. Except in the case of returned or redirected parcels, prepayment of the postage and such of the fees mentioned in the preceding section as are applicable, is compulsory.

Prepayment.

ARTICLE IV.

Preparation of Parcels.

Every parcel shall be packed in a manner adequate for the length of the journey and the protection of the contents as set forth in the Regulations of Execution.

Preparation of parcels.

Packing

Post, p. 1498.

ARTICLE V.

Prohibitions.

1. The following articles are prohibited transmission by parcel post:

Prohibitions.

Articles specified.

(a) Articles which, from their nature or by their packing, may expose postal officials to danger, or soil or damage other parcels;

Dangerous articles.

(b) Opium, morphine, cocaine and other narcotics;

Narcotics

(c) Any article the admission of which is forbidden by the Customs or other laws or regulations in force in either country;

Nonadmissible articles

(d) A letter or any document which constitutes an actual and personal correspondence. Nevertheless, it is permitted to enclose in a parcel an open invoice confined to the particulars which constitute an invoice, and also a simple copy of the address of the parcel, with mention of the address of the sender;

Letters, etc

(e) Obscene or immoral articles;

Obscene, etc., articles
With different address.

(f) An enclosure which bears an address different from that placed on the cover of the parcel;

(g) Explosive, inflammable, or dangerous substances;

Explosives

(h) Any live animal, except leeches;

Live animals.

(i) Coin, bank notes, currency notes or any kind of securities payable to bearer, platinum, gold or silver, whether manufactured or unmanufactured, precious stones, jewels or other precious articles in uninsured parcels.

Coin, etc.

2. When a parcel contravening any of these prohibitions is handed over by one Administration to the other, the latter shall proceed in accordance with its laws and inland regulations. Explosive or inflammable articles, as well as documents, pictures and other articles injurious to public morals may be destroyed on the spot by the Administration which has found them in the mails.

Action to be taken.

The fact that a parcel contains a letter, or a communication having the nature of a letter, may not, in any case, entail the return of the parcel to the sender. The letter is, however, marked for collection of postage due from the addressee at the regular rate.

Parcel containing a letter.

The two Administrations advise each other, by means of the List of Prohibited Articles published by the International Bureau of the Universal Postal Union, of all prohibited articles. However, they do not assume, on that account, any responsibility towards the customs or police authorities, or the sender.

List of Prohibited Articles.

3. If parcels wrongly admitted to the post are neither returned to origin nor delivered to the addressee, the Administration of origin must be informed in a precise manner of the treatment accorded to the parcels.

Parcels wrongly admitted.

ARTICLE VI.

*Insurance.**Insurance.**Maximum.*

Parcels may be insured up to the amount of 500 francs gold or its equivalent in the currency of the country of origin. However, the Chiefs of the Postal Administrations of the two contracting countries may, by mutual consent, increase or decrease this maximum amount of insurance.

Limitation.

A parcel cannot give rise to the right to an indemnity higher than the actual value of its contents, but it is permissible to insure it for only part of that value.

ARTICLE VII.

*Responsibility. Indemnity.**Responsibility.*

1. The Postal Administrations of the two contracting countries will not be responsible for the loss, abstraction or damage of an ordinary parcel.

2. Except in the cases mentioned in the Article following the Administrations are responsible for the loss of insured parcels mailed in one of the two contracting countries for delivery in the other and for the loss, abstraction of or damage to their contents, or a part thereof.

Indemnity.

The sender, or other rightful claimant, is entitled to compensation corresponding to the actual amount of the loss, abstraction or damage. The amount of indemnity is calculated on the basis of the actual value (current price, or, in the absence of current price, the ordinary estimated value), at the place where and the time when the parcel was accepted for mailing, provided in any case that the indemnity may not be greater than the amount for which the parcel was insured, and on which the insurance fee has been collected or the maximum amount of 500 gold francs.

Indirect damages, etc.

3. No indemnity is paid for indirect damages or loss of profits resulting from the loss, rifling, damage, non-delivery, mis-delivery or delay of an insured parcel dispatched in accordance with the conditions of the present Agreement.

Return of postage on loss of parcel.

4. In the case where indemnity is payable for the loss of a parcel or for the destruction or abstraction of the whole of the contents thereof, the sender is entitled to return of the postal charges, if claimed. However, the insurance fees are not in any case returned.

Transit originating in a third country destined for either contracting power.

5. In the absence of special agreement to the contrary between the countries involved, which agreement may be made by correspondence, no indemnity will be paid by either country for the loss of transit insured parcels, that is, parcels originating in a country not participating in this Agreement and destined for one of the two contracting countries, or parcels originating in one of the two contracting countries and destined for a country not participating in this Agreement.

Parcels reforwarded to a third country.

6. When an insured parcel originating in one country and destined to be delivered in the other country is reforwarded from there to a third country or is returned to a third country, at the request of the sender or of the addressee, the party entitled to the indemnity in case of loss, rifling, or damage occurring subsequent to the reforwarding or return of the parcel by the original country of destination, can lay claim, in such a case, only to the indemnity which the country where the loss, rifling or damage occurred consents to pay, or which that country is obliged to pay in accordance with the agree-

ment made between the countries directly interested in the reforwarding or return. Either of the two countries signing the present Agreement which wrongly forwards an insured parcel to a third country is responsible to the sender to the same extent as the country of origin, that is, within the limits of the present Agreement.

7. The sender is responsible for defects in the packing and insufficiency in the closing and sealing of insured parcels. Moreover, the two Administrations are released from all responsibility in case of loss, rifling, or damage caused by defects not noticed at the time of mailing.

Responsibility for defects in packing, etc.

ARTICLE VIII.

Exceptions to the Principle of Responsibility.

Exceptions to principle of responsibility.

The Administrations are relieved from all responsibility:

(a) In case of parcels of which the addressee has accepted delivery without reservation;

Unconditional acceptance.

(b) In case of loss or damage through force majeure (causes beyond control) although either Administration may at its option and without recourse to the other Administration pay indemnity for loss or damage due to force majeure even in cases where the Administration of the country in the service of which the loss or damage occurred recognizes that the damage was due to force majeure. The country responsible for the loss, abstraction or damage must decide in accordance with its internal legislation, whether this loss, abstraction or damage is due to circumstances constituting a case of force majeure;

Loss, etc. through force majeure

(c) When, their responsibility not having been proved otherwise, they are unable to account for parcels in consequence of the destruction of official documents through force majeure;

Destruction of official documents

(d) When the damage has been caused by the fault or negligence of the sender or the addressee or the representative of either, or when it is due to the nature of the article;

Damage through fault of sender, addressee, etc

(e) For parcels which contain prohibited articles;

Prohibited articles

(f) In case the sender of an insured parcel, with intent to defraud, shall declare the contents to be above their real value; this rule, however, shall not prejudice any legal proceedings necessitated by the legislation of the country of origin;

Declared above real value

(g) For parcels seized by the Customs because of false declaration of contents;

Seized, because of false declaration

(h) When no inquiry or application for indemnity has been made by claimant or his representative within a year commencing with the day following the posting of the insured parcel.

Unclaimed within a year.

(i) For parcels which contain matter of no intrinsic value or perishable matter or which did not conform to the stipulations of this Agreement or which were not posted in the manner prescribed, but the country responsible for the loss, rifling, or damage may pay indemnity in respect of such parcels without recourse to the other Administration.

Matter of no intrinsic value, etc

ARTICLE IX.

Termination of Responsibility.

The Administrations cease to be responsible for parcels of which they have effected delivery in accordance with their internal regulations for parcels of the same nature.

Termination of responsibility.

Responsibility is, however, maintained when the addressee or, in case of return, the sender makes reservations in taking delivery of a parcel the contents of which have been abstracted or damaged.

ARTICLE X.

Payment of Compensation.

Payment of compensation

Ante, p. 1490

The obligation to pay compensation, as well as the postage charges due to be refunded, rests with the Administration to which the office of origin of the parcel is subordinate. However, in cases where the compensation is paid to the addressee in accordance with Article VII, Section 2, second paragraph, the obligation shall rest with the Administration of destination.

The paying Administration retains the right to make a claim against the Administration responsible.

ARTICLE XI.

Period for Payment of Compensation.

Period for payment of compensation.

1. The payment of compensation for an insured parcel shall be made to the rightful claimant as soon as possible and at the latest within a period of one year counting from the day following that on which the application is made.

Deferred payment.

However, the Administration responsible for making payment may exceptionally defer payment of indemnity for a longer period than that stipulated if, at the expiration of that period, it has not been able to determine the disposition made of the article in question or the responsibility incurred.

Payment when delayed nine months

2. Except in cases where payment is exceptionally deferred as provided in the second paragraph of the foregoing section, the Postal Administration which undertakes the payment of compensation is authorized to pay indemnity on behalf of the Office, which, after being duly informed of the application for indemnity, has let nine months pass without settling the matter.

ARTICLE XII.

Firing of Responsibility.

Fixing of responsibility

1. Until the contrary is proved, responsibility for an insured parcel rests with the Administration which, having received the parcel without making any reservations, and being put in possession of all the regulation means of investigation, cannot establish the disposal of the parcel.

2. When the loss, rifling, or damage of an insured parcel is detected upon opening the receptacle at the receiving exchange office and has been regularly pointed out to the dispatching exchange office, the responsibility falls on the Administration to which the latter office belongs, unless it be proved that the irregularity occurred in the service of the receiving Administration.

3. If the loss, rifling or damage has taken place in the course of transportation, without its being possible to establish on the territory or in the service of which country the act took place, the Offices involved bear the loss in equal shares.

4. The Administration paying compensation takes over, to the extent of the amount paid, the rights of the person who has received it, in any action which may be taken against the addressee, the sender or a third party.

5. If a parcel which has been regarded as lost is subsequently found, the person to whom compensation has been paid must be informed that he is at liberty to take possession of the parcel against repayment of the amount of compensation.

ARTICLE XIII.

Repayment of Compensation.

1. The Administration responsible for the loss, rifling, or damage, and on whose account the payment is effected, is bound to repay the amount of the indemnity to the country which has effected the payment. This reimbursement must take place without delay, and at the latest within the period of nine months after notification of payment.

Repayment to country paying

2. These repayments to the creditor country must be made without expense for that office, by money order or draft, in money valid in the creditor country or in any other way to be agreed upon mutually by correspondence.

3. The reimbursement of the indemnities must be effected on the basis of gold money.

ARTICLE XIV.

Fee for Customs Clearance.

Customs clearance

The office of delivery may collect from the addressee either in respect of delivery to the Customs and clearance through the Customs or in respect of delivery to the Customs only, a fee not exceeding 50 centimes gold per parcel.

Fee.

ARTICLE XV.

Delivery to the Addressee.

Delivery to addressee

Fee for Delivery at the Place of Address.

Parcels are delivered to the addressees as quickly as possible in accordance with the conditions in force in the country of destination. This country may collect in respect of delivery of parcels to the addressee a fee not exceeding 50 centimes gold per parcel. The same fee may be charged, if the case arises, for each presentation after the first at the addressee's residence or place of business.

Fee.

ARTICLE XVI.

Warehousing Charges.

The country of destination is authorized to collect the warehousing charge fixed by its legislation for parcels addressed "General Delivery" or which are not claimed within the prescribed period. This charge may in no case exceed five francs gold.

Warehousing charges

ARTICLE XVII.

Customs Charges.

The parcels are subject to all customs laws and regulations in force in the country of destination. The duties collectible on that account are collected from the addressee on delivery of the parcel in accordance with the customs regulations.

Customs charges.

ARTICLE XVIII.

Customs Charges to be Cancelled.

The customs charges on parcels sent back to the country of origin or redirected to another country shall be cancelled both in Gibraltar and in the United States of America.

Cancellation, if returned or redirected.

ARTICLE XIX.

Recall and Change of Address.

Recall and change
of address.

So long as a parcel has not been delivered to the addressee, the sender may recall it or cause its address to be changed. The Postal Administration of the country of origin may collect and retain for this service, the charge fixed by its regulations. The requests for recall or change of address of parcels to be delivered in the United States of America shall be addressed to the Central Administration at Washington; those relating to parcels for delivery in Gibraltar shall be addressed to the Colonial Postmaster, Gibraltar.

ARTICLE XX.

Certificate of Mailing. Receipts.

Certificate of mail-
ing.

Furnished sender,
on request

The sender will, on request at the time of mailing an ordinary (uninsured) parcel, receive a certificate of mailing from the post office where the parcel is mailed, on a form provided for the purpose; and each country may fix a reasonable fee therefor.

Insured parcels.

The sender of an insured parcel receives without charge, at the time of posting, a receipt for his parcel.

ARTICLE XXI.

Return Receipts and Inquiries.

Return receipts and
inquiries

Advice of delivery.

1. The sender of an insured parcel may obtain an advice of delivery upon payment of such additional charges, if any, as the country of origin of the parcel shall stipulate and under the conditions laid down in the Regulations.

Request for infor-
mation

2. A fee may be charged, at the option of the country of origin, on a request for information as to the disposal of an ordinary parcel and also for an insured parcel made after it has been posted if the sender has not already paid the special fee to obtain an advice¹ of delivery.

Irregularities.

3. A fee may also be charged, at the option of the country of origin, in connection with any complaint of any irregularity which *prima facie* was not due to the fault of the Postal Service.

ARTICLE XXII.

Missent Parcels.

Missent parcels

Provisions concern-
ing ordinary parcels.

Ordinary parcels, when missent, are reforwarded to their correct destination by the most direct route at the disposal of the reforwarding Administration. They must not be charged with customs or other charges by that Administration. Insured parcels, when missent, may not be reforwarded to their destination except as insured mail. If this is impossible, they must be returned to origin.

Refunding, if par-
cel returned.

When the reforwarding involves the return of the parcel to the office of origin, the retransmitting Administration refunds to that office the credits received and reports the error by a Bulletin of Verification.

Reforwarding to a
third country.

When the reforwarding involves the dispatch of a parcel to a third country and if the amount credited to the retransmitting Administration is insufficient to cover the expenses of retransmission which it has to defray, the retransmitting Administration allows to the Administration to which it forwards the parcel the credits due it; it then recovers the amount of the deficiency by claiming it from the office of exchange from which the missent parcel was directly received. The reason for this claim is notified to the latter by means of a Bulletin of Verification.

¹ So in original.

ARTICLE XXIII.

Reforwarding.

1. A parcel may be redirected in consequence of the addressee's change of address in the country of destination, at the request of either the sender or the addressee.

The reforwarding of a parcel within one of the contracting countries gives rise to the collection of the supplementary charges provided for by the Administration of that country. The same is true, if occasion arises, in regard to the delivery of such parcel to another person at the original place of destination. These charges shall not be cancelled even in case the parcel is returned to origin or reforwarded to another country.

2. If a parcel must be reforwarded to one of the two countries signatory to the present Agreement, it is liable to new postage charges, and, if occasion arises, new insurance fees, unless such charges and fees have been paid in advance. The new fees are collected from the addressee by the Administration effecting the delivery. Insured parcels must be reforwarded as such.

3. At the request of the sender or addressee, parcels may also be reforwarded or returned to another country. Insured parcels may not, however, be reforwarded or returned except as such. The senders may mark the parcels: "Do not forward to a third country". In that case, the parcels must not be reforwarded to any other country. In case of loss, rifling, or damage of an insured parcel reforwarded to another country or returned by that country, the indemnity is decided upon exclusively in accordance with the provisions of Article VII, Section 6.

Reforwarding.

Redirection.

Supplementary charges.

New fees.

Return or reforwarding to another country.

Indemnity in case of loss, etc.

Ante, p. 1490.

ARTICLE XXIV.

Non-delivery.

1. Undeliverable parcels returned to the sender are liable to new postage charges as well as insurance fees if necessary, and are returned as parcels of the same class in which they were received. The charges are collectible from the sender, and are collected by the Administration delivering the parcels to him.

2. At the time of mailing, the sender must state how his parcel is to be disposed of in the event of non-delivery; that is, the sender must mark the parcel and the customs declarations with one of the following notes:

"In case of non-delivery, the parcel should be returned immediately";

"In case of non-delivery, the parcel should be considered as abandoned";

"In case of non-delivery, the parcel should be delivered to -----".

No note other than those provided for above, or note of similar import is permitted, except as provided in Article XXIII, Section 3.

3. Barring contrary instructions, undeliverable parcels are returned to origin, without previous notification, 30 days after their arrival at the office of destination. Parcels which the addressee refuses to accept shall be returned immediately. In all cases, the reason for non-delivery must be indicated on the parcel.

4. Parcels liable to deterioration or corruption may be sold immediately even en route, on the outward or return voyage, without previous notice and without judicial formality, for the profit of the rightful party.

Non-delivery.

Charges, etc.

Treatment, in case of non-delivery

Undeliverable parcels, return to place of origin.

Parcels liable to deterioration.

If, for any reason, sale is impossible, the deteriorated or corrupted articles are destroyed. The sale or destruction gives rise to the making of a report which is sent to the Administration of origin.

Abandoned parcels.

5. Undeliverable parcels which the sender has abandoned may, at the expiration of a 30-day period, be sold for the profit of the Administration of the country of destination. However, in the case of an insured parcel, a report is made up, which must be sent to the Administration of the country of origin. Likewise, the Administration of the country of origin must be advised when an insured parcel which is undeliverable is not returned to origin.

Provisions applicable

6. The provisions of Article XXV, Section 2, shall be applied to a parcel which is returned in consequence of non-delivery.

ARTICLE XXV.

Charges

Charges.

Credits.

1. For each parcel exchanged between the contracting countries, the dispatching Office credits to the Office of destination in the parcel bills the quotas due to the latter, and indicated in the Regulations of Execution.

Redischatching.

2. In case of reforwarding or return to origin of a parcel, if new postage and new insurance fees (in the case of insured parcels) are collected by the redischatching office, the parcel is treated as if it had originated in that country. Otherwise, the redischatching office recovers from the other office the quota due to it, namely, as the case may be:

(a) the charges prescribed by Section 1 above;

Ante, p. 1493.

(b) the delivery, customs clearance and storage charges provided for by Articles XIV, XV and XVI;

(c) the charges for reforwarding or return.

In case of reforwarding or return to a third country, the accrued charges, that is, such of the charges mentioned in (a), (b), and (c) above as are applicable, shall follow the parcel, but in the case that the third country concerned refuses to assume the charges because they cannot be collected from the addressee or sender, as the case may be, or for any other reason, they shall be charged back to the country of origin.

In case of a parcel returned or reforwarded in transit through one of the two Administrations to or from the other, the intermediary Administration may claim also the sum due to it for any additional territorial or sea service provided, together with any amounts due to any other Administration or Administrations concerned.

ARTICLE XXVI.

Charges other than those prescribed

Postal Charges other than those Prescribed not to be Collected.

Restriction on collection.

The parcels to which this Agreement applies shall not be subject to any postal charges other than those contemplated by the different articles hereof.

ARTICLE XXVII.

Air parcels.

Air Parcels.

Surtax, etc.

The Chiefs of the Postal Administrations of the two contracting countries have the right to fix by mutual consent the air surtax and other conditions in the case where the parcels are conveyed by the air routes.

ARTICLE XXVIII.

Temporary Suspension of Service.

In extraordinary circumstances such as will justify the measure, either Administration may temporarily suspend the parcel-post service, either entirely or partially, or restrict it to certain offices, on condition of giving immediate notice, if necessary by telegraph, to the other Administration.

Temporary suspension of service

ARTICLE XXIX.

Matters not Provided for in the Present Agreement.

1. Unless they are provided for in the present Agreement, all questions concerning requests for recall or change of address of parcels and the obtaining and disposition of return receipts and settlement of indemnity claims in connection with insured parcels shall be treated in accordance with the provisions of the Universal Postal Convention and its Regulations of Execution, in so far as they are applicable and are not contrary to the forgoing¹ provisions. If the case is not provided for at all, the domestic legislation of the United States of America or of Gibraltar or the decisions made by one country or the other, are applicable in the respective country.

Matters not provided for

Application of Universal Postal Convention, etc.

49 Stat 2741

Further provisions.

2. The details relative to the application of the present Agreement will be fixed by the two Administrations in Regulations of Execution, the provisions of which may be modified or completed by common consent by way of correspondence. A similar agreement through correspondence may be made with a view to the exchange of collect-on-delivery parcels.

Details to be fixed by common consent.

3. The two Administrations notify each other mutually of their laws, ordinances and tariffs concerning the exchange of parcel post, as well as of all modifications in rates which may be subsequently made.

Mutual notice of applicable provisions, etc.

ARTICLE XXX.

Duration of the Agreement.

1. This Agreement substitutes and abrogates the Parcel Post Agreement signed at Washington, January 8, 1915 and at Gibraltar, December 7, 1914.

Former agreement abrogated.
38 Stat 1877

2. It shall become effective on January 1, 1937.

Effective date.

3. It shall remain in effect as long as it has not been terminated six months in advance by one or the other of the two Administrations.

Duration.

Done in duplicate and signed at Washington, the 5th day of January 1937, and at Gibraltar, the 18th day of December 1936.

Signatures.

[SEAL]

JAMES A FARLEY,

The Postmaster General of the United States of America.

A. McCORMICK,

The Colonial Postmaster, Gibraltar.

The foregoing Agreement between the United States of America and Gibraltar for the exchange of parcels by parcel post has been negotiated and concluded with my advice and consent and is hereby approved and ratified.

Approval by the President

In testimony whereof I have caused the seal of the United States to be hereunto affixed.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

R. WALTON MOORE

Acting Secretary of State.

WASHINGTON, January 13, 1937.

¹ So in original.

DETAILED REGULATIONS FOR THE EXECUTION OF THE PARCEL POST AGREEMENT.

Regulations for execution.

The following Detailed Regulations for the Execution of the Parcel Post Agreement have been agreed upon by the Chiefs of the Postal Administrations of the United States of America and of Gibraltar.

ARTICLE 1.

Limits of Weight and Size.

Limits of weight and size

The parcels to be exchanged under the provisions of this Agreement may not exceed 22 pounds (10 kilograms) in weight nor the following dimensions:

Greatest length 4 feet, on condition that parcels over 42 inches but not over 44 inches long do not exceed 24 inches in girth; that parcels over 44 inches but not over 46 inches long do not exceed 20 inches in girth; that parcels over 46 inches but not over 48 inches long do not exceed 16 inches in girth; and that parcels which are 3½ feet or less in length do not exceed 6 feet in length and girth (taken in a direction other than that of the length) combined.

The limit of weight and maximum dimensions stated above may be changed from time to time by agreement made through correspondence.

ARTICLE 2.

Preparation of Parcels.

Preparation of parcels.

1. The name and address of the sender and of the addressee must be written, legibly and correctly, on the parcel itself if possible, or on a label or tag affixed securely to the parcel.

It is recommended that a duplicate of the address be inserted in every parcel, especially when the use of a tag for the address is rendered necessary by the packing or form of the parcel.

Parcels on which the name of the sender or of the addressee is indicated merely by initials are not admitted, unless the initials are the adopted trade name of the sender or addressee which is generally understood.

Addresses in pencil are not admitted. However, addresses written in indelible pencil on a previously dampened surface are accepted.

2. Each parcel must be packed in such a manner that the contents are protected over the whole route, and in such a way as to prevent the contents from damaging other parcels or objects or injuring postal agents. The packing must protect the contents sufficiently that, in case of rifling, the traces thereof may be easily discovered.

Ordinary parcels may be sealed at the option of the sender, or careful tying is sufficient as a mode of closing. Insured parcels must be sealed by means of wax, by lead or other seals.

As a protective measure, either Administration may require that special imprints or marks of the senders appear on the wax or lead seals closing insured parcels.

The Customs Administration of the country of destination is authorized to open the parcels. To that end, the seals or any other fastenings may be broken. Parcels opened by the Customs must be refastened and also officially resealed.

3. Each insured parcel must bear on the address side an insurance number and must bear a label with the words "Insured" or "Valeur déclarée".

4. For insured parcels, the amount of insured value must appear on the parcel in the currency of the country of origin, in Roman characters written in full and in Arabic figures. Also, the exact weight of each parcel in pounds and ounces must be entered by the Administration of origin (a) on the address side of the parcel and (b) on the customs declaration in the place reserved for this purpose.

5. The labels or postage stamps affixed to insured parcels must be spaced so that they cannot serve to conceal injuries to the packing. Neither may they be folded over two faces of the wrapping so as to cover the edge.

6. Liquids and easily liquefiable substances must be sent in a double receptacle. Between the first (bottle, flask, box, etc.) and the second (box of metal, strong wood, or strong carton of fiberboard, or receptacle of equal strength), there must be left a space to be filled with sawdust, bran or other absorbent material, in sufficient quantity to absorb all the liquid in case that the receptacle is broken.

7. Powders and dyes in powder form must be packed in strong boxes of tin or other metal, which, after soldering, must be placed in turn in substantial outer covers in such a way as to avoid all damage to other articles.

ARTICLE 3.

Customs Declarations.

1. The sender shall prepare one customs declaration for each parcel sent from either country, upon a special form provided for the purpose by the country of origin.

Customs declarations.

The customs declaration shall give a general description of the parcel, an accurate statement in detail of its contents and value, date of mailing, gross and net weight, the sender's name and address, and the name and address of the addressee, and shall be securely attached to the parcel.

However, as an exception to the foregoing, the use of only one customs declaration may be allowed for a single consignment of any number of uninsured parcels sent by the same sender to the same addressee at the same time. In this case the customs declaration shall show, in addition to the particulars set forth in the preceding paragraph, the total number of parcels comprising the shipment, and shall be securely attached to one of the parcels. The parcels comprising the entire shipment shall be clearly marked in such case with a fractional number, the numerator of which will indicate, in Arabic figures, the number of the parcel, and the denominator the number of parcels comprising the shipment; for example, if a single shipment were composed of 15 parcels, each parcel would be numbered, respectively, 1/15, 2/15, 3/15, etc.

2. The Administrations accept no responsibility for the correctness of the customs declarations.

ARTICLE 4.

Return Receipts.

Return receipts.

1. As to a parcel for which a return receipt is asked, the office of origin places on the parcel the letters or words "A. R." or "Return receipt requested". The office of origin or any other office appointed by the dispatching Administration shall fill out a return receipt form and attach it to the parcel. If the form does not reach the office of destination, that office makes out a duplicate.

2. The office of destination, after having duly filled out the return receipt form, returns it free of postage to the address of the sender of the parcel.

3. When the sender applies for a return receipt after a parcel has been mailed, the office of origin duly fills out a return receipt form and attaches it to a form of inquiry which is entered with the details concerning the transmission of the parcel and then forwards it to the office of destination of the parcel. In the case of the due delivery of the parcel, the office of destination withdraws the inquiry form, and the return receipt is treated in the manner prescribed in the foregoing Section.

ARTICLE 5.

Receptacles.

Receptacles.

1. The Postal Administrations of the two contracting countries shall provide the respective bags necessary for the dispatch of their parcels and each bag shall be marked to show the name of the office or country to which it belongs.

2. Bags must be returned empty to the dispatching office by the next mail. Empty bags to be returned are made up in bundles of ten, enclosing nine bags in one. The total number of bags returned shall be entered on the relative parcel bills.

3. In case ten percent of the total number of bags used during the year have not been returned, the value of the missing bags must be repaid to the Administration of origin.

ARTICLE 6.

Method of Exchange of Parcels.

Method of exchange of parcels.

1. The parcels shall be exchanged, in sacks duly fastened and sealed, by the Offices appointed by agreement between the two Administrations, and shall be dispatched to the country of destination by the country of origin at its cost and by such means as it provides.

2. Insured parcels shall be enclosed in separate sacks from those in which ordinary parcels are contained, and the labels of sacks containing insured parcels shall be marked with such distinctive symbols as may from time to time be agreed upon.

ARTICLE 7.

Billing of Parcels.

Billing of parcels

1. Separate parcel bills must be prepared for the ordinary parcels on the one hand, and for the insured parcels on the other hand.

The parcel bills are prepared in duplicate. The original is sent in the regular mails, while the duplicate is inserted in one of the

sacks. The sack containing the parcel bill is designated by the letter "F" traced in a conspicuous manner on the label.

2. The ordinary parcels included in each dispatch sent to either country are to be entered on the parcel bills to show the total number of parcels and the total net weight thereof.

3. Insured parcels shall be entered individually on the parcel bills to show the insurance number and the name of the office of origin, as well as the total net weight of the parcels.

4. Parcels sent "à découvert" must be entered separately on the parcel bills.

5. Returned or redirected parcels must be entered individually on the parcel bills and be followed by the word "Returned" or "Redirected", as the case may be. A statement of the charges which may be due on these parcels should be shown in the "Observations" column.

6. The total number of sacks comprising each dispatch must also be shown on the parcel bills.

7. Each dispatching exchange office numbers the parcel bills in the upper left-hand corner in accordance with an annual series. The last number of the preceding year must be mentioned on the first bill of the following year.

8. The exact method of advising parcels or the receptacles containing them sent by one Administration in transit through the other together with any details of procedure in connection with the advice of such parcels or receptacles for which provision is not made in this Agreement, shall be settled by mutual agreement through correspondence between the two Administrations.

ARTICLE 8.

Verification by the Exchange Offices.

1. Upon receipt of a dispatch, the exchange office of destination proceeds to verify it. The entries in the parcel bill must be verified exactly. Each error or omission must be brought immediately to the knowledge of the dispatching exchange office by means of a bulletin of verification. A dispatch is considered as having been found in order in all regards when no bulletin of verification is made up.

Verification by exchange offices.

If an error or irregularity is found upon receipt of a dispatch, all objects which may serve later on for investigations, or for examination of requests for indemnity, must be kept.

2. The dispatching exchange office to which a bulletin of verification is sent, returns it after having examined it and entered thereon its observations, if any. That bulletin is then attached to the parcel bills of the parcels to which it relates. Corrections made on a parcel bill which are not justified by supporting papers are considered as devoid of value.

3. If necessary, the dispatching exchange office may also be advised by telegram, at the expense of the office sending such telegram.

4. In case of shortage of a parcel bill, a duplicate is prepared, a copy of which is sent to the exchange office of origin of the dispatch.

5. The office of exchange which receives from a corresponding office a parcel which is damaged or insufficiently packed must redispach such parcel after repacking, if necessary, preserving the original packing as far as possible.

If the damage is such that the contents of the parcel may have been abstracted, the office must first officially open the parcel and verify its contents.

In either case, the weight of the parcel will be verified before and after repacking, and indicated on the wrapper of the parcel itself. That indication will be followed by the note "Repacked at", and the signature of the agents who have effected such repacking.

ARTICLE 9.

Charges.

Charges.

1. For each parcel, ordinary or insured, sent to Gibraltar payment shall be made at the rate of 3 cents per pound, based on the bulk net weight of each dispatch.

For each parcel, ordinary or insured, sent to the United States of America, payment shall be made at the rate of 6 cents per pound, based on the bulk net weight of each dispatch.

These terminal charges may be reduced or increased on 3 months previous notice given by one country to the other. These reductions or increases shall hold good for at least one year.

2. The amounts to be allowed in respect to parcels sent from one Administration to the other for onward transmission to a possession of either country, or to a third country, shall be fixed by the intermediary Administration.

3. Except as provided in this Article, each Administration shall keep the whole of the sums which it collects by virtue of the various Articles of this Agreement.

ARTICLE 10.

Accounting.

Accounting.

1. At the end of each quarter, each Administration makes up an account on the basis of the parcel bills.

2. These accounts accompanied by the parcel bills, and, if any, by copies of verification notes relating thereto, shall be submitted to the examination of the corresponding Administration in the course of the month following the quarter to which they relate.

3. The recapitulation, transmission, examination and acceptance of these accounts must not be delayed, and the payment of the balance shall take place, at the latest, at the expiration of the following quarter.

4. The balance resulting from the adjustment of the accounts between the two Administrations is paid by a sight draft drawn on New York, or by some other means mutually agreed upon by correspondence. The expenses of payment are chargeable to the debtor Administration.

ARTICLE 11.

Miscellaneous Notifications.

Miscellaneous notifications.

The Administrations shall communicate to each other a summary of the provisions of their laws or regulations applicable to the parcels exchanged between the two contracting countries, and other items necessary for carrying out the exchange of parcels.

These Regulations shall come into operation on the day on which the Parcel Post Agreement comes into force and shall have the same duration as the Agreement.

Effective date and duration.

Done in duplicate and signed at Washington, the 5th day of January 1937, and at Gibraltar, the 18th day of December 1936.

Signatures.

[SEAL]

JAMES A FARLEY

The Postmaster General of the United States of America.

A McCORMICK,

The Colonial Postmaster, Gibraltar.

The foregoing Regulations for the Execution of the Parcel Post Agreement between the United States of America and Gibraltar have been negotiated and concluded with my advice and consent and are hereby approved and ratified.

Approval by the President.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed.

[SEAL]

FRANKLIN D ROOSEVELT

By the President :

R. WALTON MOORE

Acting Secretary of State.

WASHINGTON, January 13, 1937.

December 20, 1935
[E A S No. 100]

Agreement, exchange of notes, and protocol between the United States of America and the Netherlands respecting reciprocal trade. Signed at Washington, December 20, 1935; proclaimed by the President of the United States, December 28, 1935; ratified by Her Majesty the Queen of the Netherlands, March 8, 1937; proclamation and ratification exchanged at Washington, April 8, 1937; supplementary proclamation by the President of the United States, April 10, 1937; articles I to XVI, inclusive, applied reciprocally on and after February 1, 1936; entire agreement effective May 8, 1937.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA
A PROCLAMATION

Reciprocal trade
agreement, etc., with
the Netherlands
48 Stat. 943
19 U S C § 1351

WHEREAS it is provided in the Tariff Act of 1930 of the Congress of the United States of America, as amended by the Act of June 12, 1934, entitled "AN ACT To Amend the Tariff Act of 1930" (48 Stat. 943), as follows:

Statutory pro-
visions.

"Sec. 350. (a) For the purpose of expanding foreign markets for the products of the United States (as a means of assisting in the present emergency in restoring the American standard of living, in overcoming domestic unemployment and the present economic depression, in increasing the purchasing power of the American public, and in establishing and maintaining a better relationship among various branches of American agriculture, industry, mining, and commerce) by regulating the admission of foreign goods into the United States in accordance with the characteristics and needs of various branches of American production so that foreign markets will be made available to those branches of American production which require and are capable of developing such outlets by affording corresponding market opportunities for foreign products in the United States, the President, whenever he finds as a fact that any existing duties or other import restrictions of the United States or any foreign country are unduly burdening and restricting the foreign trade of the United States and that the purpose above declared will be promoted by the means hereinafter specified, is authorized from time to time—

"(1) To enter into foreign trade agreements with foreign governments or instrumentalities thereof; and

"(2) To proclaim such modifications of existing duties and other import restrictions, or such additional import restrictions, or such continuance, and for such minimum periods, of existing customs or excise treatment of any article covered by foreign trade agreements, as are required or appropriate to carry out any foreign trade agreement that the President has entered into hereunder. No proclamation shall be made increasing or decreasing by more than 50 per centum any existing rate of duty or transferring any article between the dutiable and free lists. The proclaimed duties and other import restrictions shall apply to articles the growth, produce, or manufacture of all foreign countries, whether imported directly, or indirectly: *Provided*, That the President may suspend the application to articles the growth, produce, or manufacture of any country because of its

discriminatory treatment of American commerce or because of other acts or policies which in his opinion tend to defeat the purposes set forth in this section; and the proclaimed duties and other import restrictions shall be in effect from and after such time as is specified in the proclamation. The President may at any time terminate any such proclamation in whole or in part."

WHEREAS I, Franklin D. Roosevelt, President of the United States of America, have found as a fact that certain existing duties and other import restrictions of the United States of America and the Kingdom of the Netherlands are unduly burdening and restricting the foreign trade of the United States of America and that the purpose declared in the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, will be promoted by a foreign trade agreement between the United States of America and Her Majesty the Queen of the Netherlands;

Promotion of foreign trade

48 Stat 943.
19 U S C § 1351.

WHEREAS reasonable public notice of the intention to negotiate such foreign trade agreement was given and the views presented by persons interested in the negotiation of such agreement were received and considered;

Notice given.

WHEREAS, after seeking and obtaining information and advice with respect thereto from the United States Tariff Commission, the Departments of State, Agriculture, and Commerce, and from other sources, I entered into a foreign Trade Agreement on December 20, 1935, through my duly empowered Plenipotentiary, with Her Majesty the Queen of the Netherlands, through her duly empowered Plenipotentiary, which Agreement, including four Schedules annexed thereto, in the English and Netherlands languages, is in words and figures as follows:

Trade agreement entered into.

The President of the United States of America and Her Majesty the Queen of the Netherlands, being desirous of improving and extending the commercial relations between the two countries by granting mutual and reciprocal concessions and advantages for the development of trade, have resolved to conclude a Trade Agreement with that object and have appointed their respective Plenipotentiaries, as follows:

The President of the United States of America:

Mr. Cordell Hull, Secretary of State of the United States of America, and

Her Majesty the Queen of the Netherlands:

Mr. Arnold Theodoor Lamping, Director of Trade Agreements,

De President van de Vereenigde Staten van Amerika en Hare Majesteit de Koningin der Nederlanden, beziel met den wensch de handelsbetrekkingen tusschen beide landen te verbeteren en uit te breiden door elkander wederkeerige concessies en voordeelen ter ontwikkeling van den handel te verleen, hebben besloten een Handelsverdrag te dien einde te sluiten en hebben tot Hunne wederzijdsche Gevolmachtigden benoemd, te weten:

De President van de Vereenigde Staten van Amerika:

den Heer Cordell Hull, Secretaris van Staat van de Vereenigde Staten van Amerika,

Hare Majesteit de Koningin der Nederlanden:

den Heer Arnold Theodoor Lamping, Directeur van de Handelsaccorden,

Purposes declared.

Plenipotentiaries.

who, after communicating to each other their respective full powers, found to be in good and due form, have agreed upon the following Articles:

ARTICLE I

Most-favored-nation
treatment

The United States of America and the Kingdom of the Netherlands will grant each other unconditional and unrestricted most-favored-nation treatment in all matters concerning customs duties and charges of every kind and in the method of levying duties, and, further, in all matters concerning the rules, formalities and charges imposed in connection with the clearing of goods through the customs, and with respect to all laws or regulations affecting the sale or use of imported goods within the country.

Accordingly, natural or manufactured products having their origin in either of the countries shall in no case be subject, in regard to the matters referred to above, to any duties, taxes or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like products having their origin in any third country are or may hereafter be subject.

Similarly, natural or manufactured products exported from the territory of the United States of America or the Kingdom of the Netherlands and consigned to the territory of the other country shall in no case be subject with respect to exportation and in regard to the above-mentioned matters, to any duties, taxes or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like products when consigned to the terri-

die, na elkander over en weder mededeeling te hebben gedaan van hunne volmachten, welke in goeden en behoorlijken vorm werden bevonden, tot overeenstemming zijn gekomen met betrekking tot de volgende Artikelen:

ARTIKEL I

De Vereenigde Staten van Amerika en het Koninkrijk der Nederlanden zullen elkander onvoorwaardelijk en onbeperkt toekennen de behandeling als meest-begunstigde natie in alles wat betrekking heeft op douanerechten en heffingen van welken aard ook, alsmede voor de wijze van heffing van rechten en verder in alle aangelegenheden betreffende de voorschriften, formaliteiten en heffingen, opgelegd in verband met de klaring van goederen door de douane, en voorts ten aanzien van alle wetten of voorschriften, betreffende den verkoop of het gebruik binnenslands van ingevoerde goederen.

Dienovereenkomstig zullen de producten van bodem of nijverheid, van oorsprong uit elk van beide landen, ten aanzien van de bovenbedoelde onderwerpen in geen geval onderworpen worden aan eenige andere of hoogere rechten, belastingen of heffingen, noch aan eenige andere of drukken-der voorschriften of formaliteiten, dan die, aan welke gelijksoortige producten, van oorsprong uit eenig derde land, zijn of in de toekomst mochten worden onderworpen.

Insgelijks zullen de producten van bodem of nijverheid, uitgevoerd uit het gebied van de Vereenigde Staten van Amerika of uit dat van het Koninkrijk der Nederlanden, met bestemming naar het gebied van het andere land, in geen geval, ten aanzien van dien uitvoer en ten opzichte van de bovenbedoelde aangelegenheden, worden onderworpen aan eenige andere of hoogere rechten, belastingen of heffingen, noch aan eenige andere of druk-

tory of any third country are or may hereafter be subject. The provisions of this paragraph shall not apply to taxes or charges levied in the Netherlands for the purpose of equalizing in some cases the differences in prices existing in the Netherlands and in foreign countries.

Any advantage, favor, privilege or immunity which has been or may hereafter be granted by the United States of America or the Kingdom of the Netherlands in regard to the above-mentioned matters, to a natural or manufactured product originating in any third country or consigned to the territory of any third country shall be accorded immediately and without compensation to the like product originating in or consigned to the territory of the Kingdom of the Netherlands or the United States of America, respectively.

It is understood that so long as and insofar as existing law of the United States of America may otherwise require, the provisions of this Article, insofar as they would otherwise relate to duties, taxes or charges on coal, coke manufactured therefrom, or coal or coke briquettes, shall not apply to such products imported into the United States of America. If the law of the United States of America shall not permit the complete operation of the provisions of this Article with respect to the above-mentioned products, the Kingdom of the Netherlands reserves the right to impose on such products originating in the United States of America, after September 1, 1936, duties or charges other or higher than those imposed on like products originating in

kender voorschriften of formaliteiten dan die, aan welke gelijksoortige producten, met bestemming naar het gebied van eenig derde land, zijn of in de toekomst mochten worden onderworpen. De bepalingen van deze alinea zullen niet van toepassing zijn op belastingen of heffingen, welke in enkele gevallen in Nederland worden geheven, met het doel de verschillen op te heffen tusschen prijzen in Nederland en die in vreemde landen.

Alle voordeelen, gunsten, voorrechten of vrijdommen, welke door de Vereenigde Staten van Amerika of door het Koninkrijk der Nederlanden ten aanzien van de bovengenoemde aangelegenheden zijn of in de toekomst mochten worden toegekend aan producten van bodem of nijverheid, van oorsprong uit eenig derde land of met bestemming naar het gebied van eenig derde land, zullen onmiddellijk en zonder compensatie worden toegekend aan de gelijksoortige producten van oorsprong uit of met bestemming naar het gebied respectievelijk van het Koninkrijk der Nederlanden en van dat van de Vereenigde Staten van Amerika.

Het is wel verstaan, dat, zoolang en voorzover de thans bestaande wetgeving van de Vereenigde Staten van Amerika zulks mocht vereischen, de bepalingen van dit Artikel, voor zoover zij overigens betrekking zouden hebben op rechten, belastingen of heffingen op steenkool, daaruit vervaardigde cokes, of steenkool- of cokesbriquetten, niet van toepassing zullen zijn bij den invoer van deze producten in de Vereenigde Staten van Amerika. Indien de wetgeving van de Vereenigde Staten van Amerika de volledige werking van de bepalingen van dit Artikel ten aanzien van bovengenoemde producten niet zal toelaten, behoudt het Koninkrijk der Nederlanden zich het recht voor om, na 1 September 1936, deze producten, wanneer zij van oorsprong

Coal, etc., imports.

third countries, or within fifteen days after the aforesaid date, to terminate this Agreement in its entirety on thirty days' written notice.

zijn uit de Vereenigde Staten van Amerika, te belasten met andere of hogere rechten of heffingen dan die, welke geheven worden van gelijksoortige producten, van oorsprong uit derde landen, of wel, om, binnen vijftien dagen na bovengenoemden datum, dit Verdrag in zijn geheel schriftelijk op te zeggen met een termijn van dertig dagen.

ARTICLE II

ARTIKEL II

Enumerated im-
ports into the Nether-
lands

Post, p. 1526

No excess duties,
etc

Favorable treat-
ment to be accorded
in application of laws

Articles the growth, produce or manufacture of the United States of America, enumerated and described in Sections A and B of Schedule I annexed to this Agreement, shall, on their importation into the Netherlands and the Netherlands Indies, respectively, be exempt from ordinary customs duties and monopoly fees in excess of those set forth in the respective Sections of the said Schedule. The said articles shall also be exempt from all duties, taxes, fees, charges or exactions, other than ordinary customs duties and monopoly fees, imposed on or in connection with importation, other than or in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under laws of the Netherlands or the Netherlands Indies, in force on the day of the signature of this Agreement. It is understood that in the application of the aforesaid laws, articles the growth, produce or manufacture of the United States of America shall receive as favorable treatment as that accorded under like circumstances and conditions to like articles of any third country.

Articles of Ameri-
can manufacture, etc ;
application of sched-
ules

Post, p. 1552.

With respect to the articles the growth, produce or manufacture of the United States of America enumerated and described in Schedule III annexed to this Agreement, the provisions set forth in the said Schedule shall be applied.

De producten van bodem of nijverheid van de Vereenigde Staten van Amerika, opgesomd en omschreven in de Afdelingen A en B van de bij dit Verdrag gevoegde Lijst I, zullen, bij invoer respectievelijk in Nederland en Nederlandsch-Indië, zijn vrijgesteld van gewone douanerechten en monopolieheffingen, hooger dan die, welke in de betreffende Afdelingen van de hiervoor genoemde Lijst zijn vastgelegd. Genoemde producten zullen eveneens zijn vrijgesteld van alle rechten, belastingen, retributies, heffingen of invorderingen, andere dan gewone douanerechten en monopolieheffingen, gelegd op den invoer of daarmede verband houdende, andere of hogere dan die, welke worden geheven op den dag van onderteekening van dit Verdrag, of, welke later, op grond van op den dag van onderteekening van dit Verdrag van kracht zijnde wetten van Nederland of Nederlandsch-Indië, zullen worden geheven. Het is wel verstaan, dat bij de toepassing van bovengenoemde wetten, de producten van bodem of nijverheid van de Vereenigde Staten van Amerika een even gunstige behandeling zullen genieten als die, welke onder gelijke omstandigheden en voorwaarden aan gelijksoortige producten van eenig derde land wordt verleend.

Met betrekking tot de producten van bodem en nijverheid van de Vereenigde Staten van Amerika, opgesomd en omschreven in de bij dit Verdrag gevoegde Lijst III, zullen de bepalingen vastgelegd in deze Lijst worden toegepast.

With respect to articles enumerated and described in Section B of Schedule I, the Government of the Netherlands Indies reserves the right to change the ad valorem rates of duty specified in the said Section to specific rates of duty: Provided, That no resulting rate of duty applicable to any such article originating in the United States of America shall be higher than the average specific rate equivalent to the ad valorem rate of duty during the latest practicable six months' period preceding the conversion.

It is understood that an increase in the statistical duties at present levied in the Netherlands shall not be considered contrary to the provisions of this Article provided such duties do not exceed eight florin cents per package on postal importations or two-tenths of one per centum ad valorem on other importations.

ARTICLE III

Articles the growth, produce or manufacture of the Kingdom of the Netherlands enumerated and described in Schedule II annexed to this Agreement, shall, on their importation into the United States of America, be exempt from ordinary customs duties in excess of those set forth in the said Schedule. The said articles shall also be exempt from all duties, taxes, fees, charges or exactions, other than ordinary customs duties, imposed on or in connection with importation, other than or in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under laws of the United States of America in force on the day of the signature of this Agreement. It is understood that in the application of the aforesaid laws, articles the growth, produce or manufacture of the Kingdom of the Netherlands shall receive as favorable treatment as that ac-

Met betrekking tot de producten, opgesomd en omschreven in Afdeeling B van Lijst I, behoudt de Regeering van Nederlandsch-Indië zich het recht voor de waarderechten, vermeld in de hiervoor genoemde Afdeeling, om te zetten in specifieke rechten, mits de opbrengst van het specifieke recht ten aanzien van zoodanig product, van oorsprong uit de Vereenigde Staten van Amerika, niet hooger is dan de gemiddelde opbrengst van het waarderecht, berekend over het tijdvak van zes maanden, zoo dicht mogelijk voorafgaand aan de omzetting van het recht.

Het is wel verstaan, dat eene verhooging van de thans in Nederland geheven wordende statistiek-rechten niet zal worden beschouwd als in strijd te zijn met de bepalingen van dit Artikel, mits dergelijke rechten niet hooger zullen zijn dan acht cent per pakket bij invoer per post of twee tiende percent ad valorem bij invoer op andere wijze.

ARTIKEL III

De producten van bodem of nijverheid van het Koninkrijk der Nederlanden, opgesomd en omschreven in de, bij dit Verdrag gevoegde, Lijst II, zullen, bij invoer in de Vereenigde Staten van Amerika zijn vrijgesteld van gewone douanerechten, hooger dan die, welke in genoemde Lijst zijn vastgelegd. Genoemde artikelen zullen eveneens zijn vrijgesteld van alle rechten, belastingen, retributies, heffingen of invorderingen, andere dan gewone douanerechten, gelegd op den invoer of daarmede verband houdende, andere of hoogere dan die, welke geheven worden op den dag van onderteekening van dit Verdrag of welke later op grond van de op den dag van onderteekening van dit Verdrag van kracht zijnde wetten van de Vereenigde Staten van Amerika zullen worden geheven. Het is wel verstaan, dat bij de toepassing van bovengenoemde wetten, de producten

Rates as applied to Netherlands Indies imports.
Post, p 1538

Statistical duties levied in the Netherlands.

Specified imports from the Netherlands.

Post, p 1542

No excess duties, etc.

corded under like circumstances and conditions to like articles of any third country.

van bodem of nijverheid van het Koninkrijk der Nederlanden een even gunstige behandeling zullen genieten als die, welke onder gelijke omstandigheden en voorwaarden aan gelijksoortige producten van eenig derde land wordt verleend.

ARTICLE IV

ARTIKEL IV

Importation
charges.
Ante, p. 1508.

The provisions of Articles II and III of this Agreement shall not prevent the United States of America or the Kingdom of the Netherlands from imposing on the importation of any article a charge constituting a compensation for or an equivalent of an internal tax imposed on a like domestic article or on a commodity from which the imported article has been processed or manufactured in whole or in part.

De bepalingen van de Artikelen II en III van dit Verdrag zullen de Vereenigde Staten van Amerika of het Koninkrijk der Nederlanden niet beletten op eenig product bij invoer eene heffing te leggen, voor zoover deze uitmaakt een compensatie voor of het equivalent van een binnenlandsche belasting, gelegd op een gelijksoortig binnenlandsch product of op een artikel, waaruit het ingevoerde product geheel of ten deele is vervaardigd of bereid.

Post, pp 1526, 1542.

Articles the growth, produce or manufacture of the United States of America or the Kingdom of the Netherlands, enumerated and described in Schedules I and II, respectively, which are or shall be subject on their importation into the other country to a duty, tax or any other exaction, imposed solely as the equivalent of or to compensate for an internal tax or any other exaction imposed on or with respect to the processing of domestic articles, shall continue to be subject to such duty, tax or other exaction on importation only to the extent that such duty, tax or exaction shall be not more than fairly equivalent or compensatory to the internal tax or other exaction imposed on or with respect to the processing of domestic articles.

De producten van bodem of nijverheid van de Vereenigde Staten van Amerika of van het Koninkrijk der Nederlanden, respectievelijk opgesomd en omschreven in de Lijsten I en II, welke bij invoer in het andere land zijn of zullen worden onderworpen aan een recht, belasting of eenige andere invordering, uitsluitend geheven als equivalent van of als compensatie voor een binnenlandsche belasting of eenige andere invordering, geheven van of met betrekking tot de vervaardiging van binnenlandsche producten, zullen bij invoer slechts onderworpen blijven aan een dergelijk recht, belasting of andere invordering, voor zoover een dergelijk recht, belasting of invordering niet meer zal bedragen dan het redelijk equivalent van of een redelijke compensatie voor de binnenlandsche belasting of andere invordering, geheven van of met betrekking tot de vervaardiging van binnenlandsche producten.

ARTICLE V

ARTIKEL V

No excess charges.

Articles the growth, produce or manufacture of the United States of America or the Kingdom of the

De producten van bodem of nijverheid van de Vereenigde Staten van Amerika of van het

Netherlands, shall, after importation into the other country, be exempt from all internal taxes, fees, charges or exactions other or higher than those payable on like articles of national origin or any other foreign origin.

The provisions of this Article in regard to the granting of national treatment shall not prevent the Netherlands from maintaining the existing differential between imported and domestic articles in connection with the stamping tax for works in gold or silver or from applying the existing regulations in regard to the excise tax on the juices of fresh fruits other than grapes, whether or not fermented, and on molasses and other liquids containing sugar.

ARTICLE VI

1. Neither the United States of America nor the Kingdom of the Netherlands shall establish or maintain any import or export prohibition or restriction on any article originating in or destined for the territory of the other country, which is not applied to the like article originating in or destined for any third country. Any abolition of an import or export prohibition or restriction which may be granted even temporarily by either country in favor of an article originating in or destined for a third country shall be applied immediately and unconditionally to the like article originating in or destined for the territory of the other country.

2. With respect to the articles enumerated and described in Schedule IV annexed to this Agreement, which are now subject to quantitative restrictions in the Netherlands or the Nether-

Koninkrijk der Nederlanden zullen, na invoer in het andere land, vrijgesteld zijn van alle binnenslandsche belastingen, retributies, heffingen of invorderingen, andere of hogere dan die, welke verschuldigd zijn van soortgelijke producten van nationalen of eenigen anderen vreemden oorsprong.

De bepalingen van dit Artikel ten aanzien van de toekenning van de nationale behandeling, zullen Nederland niet beletten het bestaande onderscheid in behandeling te handhaven tusschen ingevoerde en inheemsche producten voor wat betreft de waarborgbelasting voor gouden en zilveren werken, noch het toepassen van de bestaande bepalingen ten aanzien van den accijns op al dan niet gegiste sappen van verse vruchten, andere dan druiven, en op melasse en andere suikerhoudende vloeistoffen.

ARTIKEL VI

1. Noch de Vereenigde Staten van Amerika noch het Koninkrijk der Nederlanden zullen eenig in- of uitvoerverbod of -beperking op eenig product, van oorsprong uit of met bestemming naar het gebied van het andere land, instellen of handhaven, welke niet wordt toegepast op het gelijksoortig product, van oorsprong uit of met bestemming naar een derde land. Elke opheffing van een in- of uitvoerverbod of -beperking, welke, al ware het slechts tijdelijk, door een der beide landen ten gunste van een product, van oorsprong uit of met bestemming naar een derde land, mocht worden toegestaan, zal onmiddellijk en onvoorwaardelijk worden toegepast op het gelijksoortige product, van oorsprong uit of met bestemming naar het gebied van het andere land.

2. Met betrekking tot de producten, opgesomd en omschreven in de bij dit Verdrag gevoegde Lijst IV, welke thans in Nederland of in Nederlandsch-Indië aan quantitative beperkingen onder-

Freedom of trade.

Extension of advantages granted another country.

Provisions respecting quantitative restrictions
Post, p. 1554

lands Indies, the quantities of such articles originating in the United States of America which shall be permitted to be imported annually into the respective territories, beginning February 1, 1936, shall not be less than those specified in the said Schedule.

Post, p. 1554.

3. With respect to articles not specified in Schedule IV, originating in the United States of America, which are now subject to quantitative restrictions in the Netherlands, the quantities permitted to be imported annually, beginning February 1, 1936, shall not be less than those established in the form of percentages of the importations in the basic periods by the published quota decrees in effect on the day of the signature of this Agreement.

Articles not now subject to quantitative restriction in the Netherlands, allotment, if established

4. With respect to articles in which the United States of America has an interest and which are not now subject to quantitative restrictions in the Netherlands, it is agreed that if the Netherlands shall establish any form of quantitative restriction or control of the importation or sale of any such article, there will be allotted to the United States of America a share of the total quantity of any such article permitted to be imported or sold, during a specified period, equivalent to the proportion of the total importation of such article which the United States of America supplied in a basic period prior to the imposition of such quantitative restriction on such article, unless it is mutually agreed to dispense with such allotment. It is understood that in calculating the quotas to be allotted to the United States of America under the provisions of this paragraph, importations into the Netherlands from the Netherlands Indies, Surinam and Curaçao may be omitted from the

Trade of the Netherlands with possessions.

worpen zijn, zullen de hoeveelheden van die producten, van oorsprong uit de Vereenigde Staten van Amerika, waarvan de invoer jaarlijks zal worden toegestaan in de betreffende gebiedsdeelen, van 1 Februari 1936 af, niet minder zijn dan die, welke zijn vermeld in de hiervoor genoemde Lijst.

3. Met betrekking tot de producten, van oorsprong uit de Vereenigde Staten van Amerika, welke niet zijn vermeld in Lijst IV en welke thans in Nederland aan quantitative beperkingen onderworpen zijn, zullen de hoeveelheden, waarvan de invoer jaarlijks zal worden toegestaan, van 1 Februari 1936 af, niet minder zijn dan die, welke bij de gepubliceerde en op den dag van ondertekening van dit Verdrag in werking zijnde contingentteeringsbesluiten, in den vorm van percentages van den invoer in het basistijdvak zijn vastgesteld.

4. Met betrekking tot producten, waarbij de Vereenigde Staten van Amerika belang hebben en welke thans in Nederland niet onderworpen zijn aan quantitative beperkingen, is overeengekomen dat, indien Nederland een quantitative beperking of controle, van welken aard ook, zou instellen op den invoer of verkoop van een zoodanig product, aan de Vereenigde Staten van Amerika zal worden toegewezen een aandeel in de totale hoeveelheid van een zoodanig product, waarvan de invoer of verkoop is toegestaan, gedurende een vastgesteld tijdvak, overeenkomende met het evenredig deel van den totalen invoer van dat product, hetwelk de Vereenigde Staten van Amerika leverden in een basistijdvak, voorafgaande aan de instelling van zoodanige quantitative beperking op dat product, tenzij wordt overeengekomen van een dergelijke toewijzing af te zien. Het is wel verstaan, dat, bij de berekening van de contingenten, welke zullen worden toegewezen aan de Veree-

aforesaid total quantity permitted to be imported or sold and from the aforesaid total importation in the basic period.

5. If the Netherlands imposes or shall hereafter impose on the importation or sale of a specified quantity of any article in which the United States of America has an interest a lower import duty or charge than the duty or charge imposed on importations in excess of such quantity, there will be allotted to the United States of America a share of the total quantity of any such article permitted to be imported or sold at such lower duty or charge, during a specified period, equivalent to the proportion of the total importation of such article which the United States of America supplied in a basic period prior to the imposition of any quantitative restriction on such article, unless it is mutually agreed to dispense with such allotment. It is understood that in calculating the quotas to be allotted to the United States of America under the provisions of this paragraph, importations into the Netherlands from the Netherlands Indies, Surinam and Curaçao may be omitted from the aforesaid total quantity permitted to be imported or sold at such lower duty or charge and from the aforesaid total importation in the basic period.

6. With respect to articles in which the United States of America has an interest, it is agreed that if a quota for the importation or sale of any such article, or a quota

nigde Staten van Amerika krachtens de bepalingen van deze alinea, de invoer in Nederland uit Nederlandsch-Indië, Suriname en Curaçao mag worden afgetrokken van de hiervoor genoemde totale hoeveelheid, waarvan de invoer of verkoop is toegestaan, alsmede van den hiervoor genoemden totalen invoer in het basistijdvak.

5. Indien Nederland instelt of later mocht instellen een recht of heffing, op den invoer of verkoop van een vastgestelde hoeveelheid van eenig product, waarbij de Vereenigde Staten van Amerika belang hebben, lager dan het recht of de heffing, gelegd op den invoer, welke een zoodanige hoeveelheid overtreft, zal aan de Vereenigde Staten van Amerika worden toegewezen een aandeel in de totale hoeveelheid van een zoodanig product, waarvan de invoer of verkoop is toegestaan tegen een zoodanig lager recht of heffing, gedurende een vastgesteld tijdvak, overeenkomende met het evenredig deel van den totalen invoer van dat product, hetwelk de Vereenigde Staten van Amerika leverden in een basistijdvak, voorafgaande aan de instelling van eenige quantitatieve beperking op dit product, tenzij wordt overeengekomen van een dergelijke toewijzing af te zien. Het is wel verstaan, dat, bij de berekening van de contingenten, welke zullen worden toegewezen aan de Vereenigde Staten van Amerika krachtens de bepalingen van deze alinea, de invoer in Nederland uit Nederlandsch-Indië, Suriname en Curaçao mag worden afgetrokken van de hiervoor genoemde totale hoeveelheid, waarvan de invoer of verkoop is toegestaan tegen een zoodanig lager recht of heffing, alsmede van den hiervoor genoemden totalen invoer in het basistijdvak.

6. Met betrekking tot producten, waarbij de Vereenigde Staten van Amerika belang hebben, is overeengekomen dat, indien door Nederlandsch-Indië aan eenig

Benefits granted where lower rate imposed on excess importation.

Exceptions

Quotas.

for the importation or sale of a specified quantity of any such article at a lower duty or charge than the duty or charge imposed on importations or sales in excess of such quantity, is or shall be allotted by the Netherlands Indies to any third country, other than the Netherlands, Surinam or Curaçao, there will be allotted to the United States of America a share of the total quantity of such article permitted to be imported or sold, or permitted to be imported or sold at such lower duty or charge, during a specified period, equivalent to the proportion of the total importation of such article which it supplied in a basic period prior to the imposition of such quantitative restriction on such article, unless it is mutually agreed to dispense with such allotment. It is understood that in calculating the quotas to be allotted to the United States of America under the provisions of this paragraph, importations into the Netherlands Indies from the Netherlands, Surinam and Curaçao may be omitted from the aforesaid total quantity permitted to be imported or sold, or permitted to be imported or sold at such lower duty or charge, and from the aforesaid total importation in the basic period.

Benefits extended
by United States
under quantitative
restriction

7. If the Government of the United States of America establishes or maintains any form of quantitative restriction or control of the importation or sale of any article in which the Kingdom of the Netherlands has an interest, or imposes a lower duty or charge on the importation or sale of a specified quantity of any such

derde land, derhalve niet aan Nederland, Suriname of Curaçao, is of zal worden toegewezen een contingent voor den invoer of verkoop van een zoodanig product of een contingent voor den invoer of verkoop van een vastgestelde hoeveelheid van een zoodanig product tegen een recht of heffing, lager dan het recht of de heffing gelegd op den invoer of verkoop, welke een zoodanige hoeveelheid overschrijdt, aan de Vereenigde Staten van Amerika zal worden toegewezen een aandeel in de totale hoeveelheid van een zoodanig product, waarvan de invoer of verkoop is toegestaan of waarvan de invoer of verkoop is toegestaan tegen een zoodanig lager recht of heffing, gedurende een vastgesteld tijdvak, overeenkomende met het evenredig deel van den totalen invoer van dat product, hetwelk de Vereenigde Staten van Amerika leverden in een basistijdvak, voorafgaande aan de instelling van eene zoodanige quantitative beperking op dat product, tenzij wordt overeengekomen van een dergelijke toewijzing af te zien. Het is wel verstaan, dat, bij de berekening van de contingenten, welke zullen worden toegewezen aan de Vereenigde Staten van Amerika krachtens de bepalingen van deze alinea, de invoer in Nederlandsch-Indië uit Nederland, Suriname en Curaçao mag worden afgetrokken van de hiervoor genoemde totale hoeveelheid, waarvan de invoer of verkoop is toegestaan, of waarvan de invoer of verkoop is toegestaan tegen een zoodanig lager recht of heffing, alsmede van den hiervoor genoemden totalen invoer in het basistijdvak.

7. Indien de Regeering van de Vereenigde Staten van Amerika eene quantitative beperking of controle, van welken aard ook, instelt of handhaaft op den invoer of verkoop van eenig product, waarbij het Koninkrijk der Nederlanden belang heeft, of op den invoer of verkoop van een vastgestelde hoeveelheid van een zoo-

article than the duty or charge imposed on importations in excess of such quantity, the Government of the United States of America will allot to the Kingdom of the Netherlands a share of the total quantity of such article permitted to be imported or sold, or permitted to be imported or sold at such lower duty or charge, during a specified period, equivalent to the proportion of the total importation of such article which the Kingdom of the Netherlands supplied in a basic period prior to the imposition of such quantitative restriction on such article, unless it is mutually agreed to dispense with such allotment. It is understood that in calculating the quotas to be allotted to the Kingdom of the Netherlands under the provisions of this paragraph, importations into the United States of America from Cuba, the Philippine Islands, the Panama Canal Zone, and the territories and possessions of the United States of America may be omitted from the aforesaid total quantity permitted to be imported or sold, or permitted to be imported or sold at such lower duty or charge, and from the aforesaid total importation in the basic period.

8. If, after February 1, 1937, the Government of the Netherlands should desire to reduce the quota established for any article under the second or the third paragraph of this Article, it shall give at least thirty days' advance notice to the Government of the United States of America, and shall give sympathetic consideration to any suggestion or request which the latter Government may make with respect to the proposed

danig product een recht of heffing zou leggen, lager dan het recht of de heffing, gelegd op den invoer, welke een zoodanige hoeveelheid overschrijdt, zal de Regeering van de Vereenigde Staten van Amerika het Koninkrijk der Nederlanden een aandeel toewijzen in de totale hoeveelheid van een zoodanig product, waarvan de invoer of verkoop is toegestaan of waarvan de invoer of verkoop is toegestaan tegen een zoodanig lager recht of heffing, gedurende een vastgesteld tijdvak, overeenkomende met het evenredig deel van den totalen invoer van dat product, hetwelk het Koninkrijk der Nederlanden leverde in een basistijdvak, voor afgaande aan de instelling van eene zoodanige quantitative beperking op dat product, tenzij wordt overeengekomen van een dergelijke toewijzing af te zien. Het is wel verstaan, dat, bij de berekening van de contingenten, welke zullen worden toegewezen aan het Koninkrijk der Nederlanden krachtens de bepalingen van deze alinea, de invoer in de Vereenigde Staten van Amerika uit Cuba, de Philippijnen, de Panama kanaal Zone en de gebiedsdeelen en bezittingen van de Vereenigde Staten van Amerika mag worden afgetrokken van de hiervoor genoemde totale hoeveelheid, waarvan de invoer of verkoop is toegestaan, of waarvan de invoer of verkoop is toegestaan tegen een zoodanig lager recht of heffing, alsmede van den hiervoor genoemden totalen invoer in het basistijdvak.

8. Indien de Nederlandsche Regeering, na 1 Februari 1937, het contingent voor eenig product, overeenkomstig de tweede of derde alinea van dit Artikel vastgesteld, zou wenschen te verminderen, zal Zij hiervan minstens dertig dagen tevoren aan de Regeering van de Vereenigde Staten van Amerika kennis geven en zal Zij in welwillende overweging nemen elk voorstel of verzoek, hetwelk laatstgenoemde Regeering ten aanzien

United States trade
with Cuba, etc

Notice to be given
of any quota reduction
by the Netherlands
Government.

Right to terminate

action; and if an agreement with respect thereto is not reached within thirty days following receipt of the aforesaid notice, the Government of the United States of America shall be free, within fifteen days after the expiration of the aforesaid period of thirty days, to terminate this Agreement in its entirety on thirty days' written notice.

Allotment to United States not to be reduced unless global quota reduced in like proportion.

9. The quantity allotted to the United States of America for any article on which a quota is established under the second or the third paragraph of this Article shall not in any case be reduced unless the global quota for that article is also reduced in the same proportion. If the global quota for any such article shall at any time be increased, the quantity allotted to the United States of America shall, after February 1, 1937, be increased in the same proportion, unless it is mutually agreed to dispense with such allotment. The term "global quota" means the total quantity or value of an article permitted to be imported from all foreign countries.

"Global quota" defined

Exhaustion of import quotas.

10. With respect to the import quotas, which are now in effect or which may hereafter be established by either the United States of America or the Kingdom of the Netherlands, each Government will take appropriate measures to facilitate as much as possible the exhaustion of such quotas. Any representations which either Government may make with a view to effectuating this purpose shall be given the most sympathetic consideration by the other Government.

van den voorgenomen maatregel mocht doen. Wanneer binnen dertig dagen na ontvangst van de hiervoorgenoemde kennisgeving geen overeenstemming terzake zal zijn bereikt, zal de Regeering van de Vereenigde Staten van Amerika de bevoegdheid hebben, binnen vijftien dagen na afloop van de hiervoorgenoemden termijn van dertig dagen, dit Verdrag in zijn geheel schriftelijk op te zeggen met een termijn van dertig dagen.

9. De aan de Vereenigde Staten van Amerika toegewezen hoeveelheid voor enig product, waarvoor overeenkomstig de tweede of derde alinea van dit Artikel een contingent is vastgesteld, zal in geen geval worden verminderd, tenzij het globale contingent voor dat product eveneens wordt vermindert en wel in de zelfde verhouding. Indien het globale contingent voor een zoodanig product te eeniger tijd mocht worden verhoogd, zal het aan de Vereenigde Staten van Amerika toegewezen contingent, na 1 Februari 1937, in dezelfde verhouding worden verhoogd, tenzij is overeengekomen van een dergelijke toewijzing af te zien. De uitdrukking "globaal contingent" beteekent de totale hoeveelheid of waarde van een product, waarvan de invoer uit alle vreemde landen is toegestaan.

10. Met betrekking tot de invoercontingenten, welke thans in werking zijn of, welke hetzij door de Vereenigde Staten van Amerika, hetzij door het Koninkrijk der Nederlanden later mochten worden ingesteld, zal de betreffende Regeering de passende maatregelen nemen om de uitputting van de contingenten zooveel mogelijk te vergemakkelijken. De eventuele vertoogen, welke een van beide Regeeringen mocht indienen, strekkende tot het verwezenlijken van gemeld doel, zullen door de Regeering van het andere land in de meest welwillende overweging worden genomen.

11. Sympathetic consideration will be given by either Government to any request which the other Government may make for a readjustment of the quota allotment for any article or to any request or representation with respect to any other matter relating to quotas or other quantitative restrictions.

ARTICLE VII

With respect to the articles enumerated and described in Schedules I and II, no prohibitions, import quotas, import licenses, or any other form of quantitative regulation, whether or not operated in connection with any agency of centralized control, shall be imposed by the Kingdom of the Netherlands and the United States of America, respectively.

The foregoing provision shall not apply to quantitative restrictions in whatever form imposed by either country on the importation or sale of any article the growth, produce or manufacture of the other country in conjunction with governmental measures operating to regulate or control the production, market supply, or prices of like domestic articles, nor shall it apply to such necessary measures as may be adopted in extraordinary and abnormal circumstances to protect the vital economic or financial interests of the country. Whenever either Government establishes or changes any restriction authorized by this paragraph, it shall notify the other Government and shall afford such other Government an opportunity to consult with it in respect of such action; and if, objection being made to such action, an agreement with respect thereto is not reached within thirty days following receipt of the aforesaid notice, such other Government shall be free

11. Elk van beide Regeeringen zal in welwillende overweging nemen elk verzoek, dat de andere Regeering mocht doen tot herziening van het voor eenig product toegewezen contingent, of elk verzoek of vertoog betreffende eenige andere aangelegenheid, verband houdende met contingenten of met andere quantitatieve beperkingen.

ARTIKEL VII

Met betrekking tot de producten, opgesomd en omschreven in de Lijsten I en II, zullen door, respectievelijk, het Koninkrijk der Nederlanden en de Vereenigde Staten van Amerika geen verboden worden ingesteld noch invoercontingenten, invoervergunningen of eenige andere regelingen inzake quantitatieve beperking, al dan niet verband houdende met de werking van eenig orgaan, waarbij de controle is gecentraliseerd.

De hiervoor gaande bepaling zal niet van toepassing zijn op quantitatieve beperkingen, van welken aard ook, door een van beide landen gelegd op den invoer of verkoop van eenig product van bodem of nijverheid van het andere land, in verband met van Regeeringswege genomen maatregelen met het doel de productie, de marktvoorziening of de prijzen van gelijksoortige inheemsche producten te regelen of te beheerschen, noch zal zij van toepassing zijn op zoodanige noodzakelijke maatregelen, die in buitengewone en abnormale omstandigheden mochten worden genomen, te neinde de vitale economische of financieele belangen van het land te beschermen. Telkens wanneer een van beide Regeeringen eenige beperking, welke bij deze alinea is toegelaten, instelt of wijzigt, zal Zij de andere Regeering daarmede in kennis stellen en deze Regeering gelegenheid geven om met Haar ter zake overleg te plegen. Indien door de andere Regeering bezwaar is gemaakt tegen een

Readjustments

No quantitative
regulation
Post, pp 1526, 1542.

Exception.

Notice of proposed
restriction, etc

within fifteen days after the expiration of the aforesaid period of thirty days to terminate this Agreement in its entirety on thirty days' written notice.

Quantitative restrictions in the form of quotas

The first paragraph of this Article shall not prevent the application of the quantitative restrictions in the form of quotas provided for in Schedule I nor the application of the quantitative restrictions in the form of quotas which are specified in Schedule IV for the articles enumerated and described therein.

Post, p. 1526

Post, p. 1554.

zoodanigen maatregel en binnen dertig dagen na ontvangst van de betreffende kennisgeving geen overeenstemming terzake is bereikt, zal de andere Regeering de bevoegdheid hebben binnen vijftien dagen na afloop van het hiervoor genoemdetijdvak van dertig dagen, dit Verdrag in zijn geheel schriftelijk op te zeggen met een termijn van dertig dagen.

De eerste alinea van dit Artikel zal niet de toepassing verhinderen van de quantitative beperkingen, door middel van contingenten, voorzien in Lijst I, en evenmin de toepassing van de quantitative beperkingen, door middel van contingenten, vermeld in Lijst IV, voor de producten, daarin opgesomd en omschreven.

ARTICLE VIII

Treatment of Government monopolies

In the event that the United States of America or the Kingdom of the Netherlands establishes or maintains a monopoly for the importation, production or sale of an article or grants exclusive privileges, formally or in effect, to one or more agencies to import, produce or sell an article, the Government of the country establishing or maintaining such monopoly, or granting such monopoly privileges, shall, in respect of the foreign purchases of such monopoly or agency, accord the commerce of the other country fair and equitable treatment. In making its foreign purchases of any article such monopoly or agency shall, within the quantitative limitations permitted by other provisions of this Agreement, be influenced solely by competitive considerations, such as price, quality, marketability, and terms of sale.

ARTIKEL VIII

Ingeval de Vereenigde Staten van Amerika of het Koninkrijk der Nederlanden een monopolie voor den invoer, de productie of den verkoop van een product instellen of handhaven, of, formeel of feitelijk, uitsluitende voorrechten toekennen aan een of meer organen voor den invoer, de productie of den verkoop van een product, zal de Regeering van het land, dat een zoodanig monopolie invoert of handhaaft, of zoodanige monopolie-voorrechten verleent, ten opzichte van de buitenlandsche aankopen door een zoodanig monopolie of orgaan aan den handel van het andere land een behoorlijke en billijke behandeling toekennen. Bij het doen van aankopen in het buitenland van eenig product, zal een zoodanig monopolie of orgaan, binnen de quantitative grenzen toegestaan bij andere bepalingen van dit Verdrag, zich slechts laten leiden door factoren van concurrentie, zooals prijs, kwaliteit, afzetmogelijkheid en verkoopsvoorwaarden.

ARTICLE IX

Modification where rate of exchange prejudicial

In the event that a wide variation occurs in the rate of exchange between the currencies of the

ARTIKEL IX

Ingeval een aanzienlijke afwijking ontstaat in de koersverhouding tusschen de ruilmiddelen

United States of America and the Kingdom of the Netherlands, the Government of either country, if it considers the variation so substantial as to prejudice the industries or commerce of the country, shall be free to propose negotiations for the modification of this Agreement; and if an agreement with respect thereto is not reached within thirty days following receipt of such proposal, the Government making such proposal shall be free to terminate this Agreement in its entirety on thirty days' written notice.

ARTICLE X

Each Government will accord sympathetic consideration to such representations as the other Government may make regarding the operation of customs regulations, the observance of customs formalities, and the application of sanitary laws and regulations for the protection of human, animal or plant health or life.

If either Government makes representations to the other Government in respect of the application of any sanitary law or regulation for the protection of human, animal or plant health or life, and if there is disagreement with respect thereto, a committee of technical experts on which each Government will be represented shall, on the request of either Government, be established as soon as possible to consider the matter and to submit recommendations to the two Governments.

Whenever practicable each Government, before applying any new measure of a sanitary character, will consult with the Government of the other country with a view to insuring that there will be as little injury to the commerce of the latter country as may be con-

van de Vereenigde Staten van Amerika en die van het Koninkrijk der Nederlanden, zal het de Regeering van elk van beide landen, indien Zij de afwijking zoo belangrijk acht, dat daardoor de nijverheid of de handel van het land zal worden geschaad, vrijstaan, onderhandelingen voor te stellen tot wijziging van dit Verdrag. Indien terzake geen overeenstemming is bereikt binnen dertig dagen, volgende op de ontvangst van een zoodanig voorstel, zal de Regeering, die een zoodanig voorstel doet, de bevoegdheid hebben dit Verdrag in zijn geheel schriftelijk op te zeggen met een termijn van dertig dagen.

ARTIKEL X

Elk van beide Regeeringen zal in welwillende overweging nemen de vertoogen, welke de andere Regeering tot Haar mocht richten, inzake de werking van douanevoorschriften, de inachtneming van douaneformaliteiten en de toepassing van sanitaire wetten en voorschriften voor de bescherming van de gezondheid of het leven van mensch, dier of plant.

Ingeval een van beide Regeeringen vertoogen richt tot de andere met betrekking tot de toepassing van eenige sanitaire wet of eenig sanitair voorschrift voor de bescherming van de gezondheid of het leven van mensch, dier of plant, en indien ten opzichte daarvan geen overeenstemming wordt bereikt, zal op verzoek van een van beide Regeeringen zoo spoedig mogelijk eene commissie van deskundigen, in welke beide Regeeringen vertegenwoordigd zullen zijn, worden ingesteld, ten einde de aangelegenheid onder de oogen te zien en terzake advies uit te brengen aan beide Regeeringen.

Voor zoover doenlijk, zal elk van beide Regeeringen, alvorens tot de toepassing van eenigen nieuwen maatregel van sanitairen aard over te gaan, de Regeering van het andere land raadplegen, teneinde er voor te zorgen, dat het nadeel, dat aan den handel van laatstbe-

Mutual consideration with respect to customs, etc

Sanitary regulations.

Consultation before applying new measures

sistent with the purpose of the proposed measure. The provisions of this paragraph do not apply to actions affecting individual shipments under sanitary measures already in effect or to actions based on pure food and drug laws.

doeld land zou kunnen worden toegebracht, zoo gering zij als in overeenstemming is te brengen met het doel van den voorgenomen maatregel. De bepalingen van deze alinea zijn niet van toepassing op maatregelen, genomen ten aanzien van afzonderlijke zendingen, krachtens reeds in werking zijnde sanitaire voorschriften, of op maatregelen gebaseerd op wetten, betreffende de zuiverheid en hoedanigheid van voedings- en geneesmiddelen en dranken.

ARTICLE XI

ARTIKEL XI

Advantages accorded neighboring states, etc.

The provisions of this Agreement relating to the treatment to be accorded by the United States of America or the Kingdom of the Netherlands to the commerce of the other country do not apply to advantages now accorded or which may hereafter be accorded to neighboring states in order to facilitate frontier traffic, or to advantages resulting from a customs union to which either country may become a party so long as such advantages are not extended to any other country.

De bepalingen van dit Verdrag, betrekking hebbende op de behandeling, toe te kennen door de Vereenigde Staten van Amerika of het Koninkrijk der Nederlanden aan den handel van het andere land, zijn niet van toepassing op voordeelen, welke thans zijn of later mochten worden verleend aan nabuurstaten, teneinde den grenshandel te vergemakkelijken, noch op voordeelen, voortvloeiende uit een tolunie, bij welke een van beide landen zich mocht aansluiten, zolang dergelijke voordeelen niet worden uitgestrekt tot eenig ander land.

Gold or silver trade restriction.

Nothing in this Agreement shall be construed to prevent the adoption of measures prohibiting or restricting the exportation or importation of gold or silver, or to prevent the adoption of such measures as either Government may see fit with respect to the control of the export or sale for export of arms, ammunition, or implements of war, and, in exceptional circumstances, all other military supplies.

Dit Verdrag verhindert uit geen hoofde het nemen van maatregelen tot verbod of beperking van den uitvoer of van den invoer van goud of zilver, noch het nemen van zulke maatregelen, welke elk van beide Regeeringen noodzakelijk mocht achten ter regeling van den uitvoer of verkoop voor uitvoer van wapens, munitie of oorlogsbenoodigdheden, in buitengewone gevallen, van alle andere militaire benoodigdheden.

Provisions not to extend to specified restrictions

Subject to the requirement that, under like circumstances and conditions, there shall be no arbitrary discrimination by either country against the other country in favor of any third country, and without prejudice to Article X, the provisions of this Agreement shall not extend to prohibitions or restric-

Behoudens het vereischte dat, onder gelijke omstandigheden en voorwaarden, door geen van beide landen een willekeurig onderscheid zal worden gemaakt in de behandeling van het andere land ten gunste van een derde land en onverminderd het bepaalde in Artikel X, zullen de bepalingen

tions (1) relating to public security; (2) imposed on moral or humanitarian grounds; (3) designed to protect human, animal or plant health or life; (4) relating to prison-made goods; or (5) relating to the enforcement of police or revenue laws.

Nothing in this Agreement shall prevent either Government from assessing duties or taxes on certain imported articles on the basis of arbitrary quantities in lieu of actual measurement, as required by laws in force on the day of the signature of this Agreement.

ARTICLE XII

In the event that either Government adopts any measure which, even though it does not conflict with the terms of this Agreement, is considered by the other Government to have the effect of nullifying or materially and considerably impairing any object of the Agreement, the Government which has adopted any such measure shall consider such written representations or proposals as the other Government may make with a view to effecting a mutually satisfactory adjustment of the matter. If no agreement is reached with respect to such representations or proposals within thirty days after they are received, the Government making them shall be free, within fifteen days after the expiration of the aforesaid period of thirty days, to terminate this Agreement in its entirety on sixty days' written notice.

van dit Verdrag zich niet uitstrekken tot verboden of beperkingen: (1) betrekking hebbende op de publieke veiligheid, (2) ingesteld uit moreele of humanitaire overwegingen, (3) beoogende de bescherming van het leven of de gezondheid van mensch, dier of plant, (4) betrekking hebbende op goederen, in gevangenissen gemaakt, of (5) met betrekking tot de ten uitvoerlegging van politiewetten of wetten op de staatsinkomsten.

Dit Verdrag belet geen van beide Regeeringen in eenig opzicht op grond van de op den dag van onderteekening van dit Verdrag van kracht zijnde wetten, rechten of belastingen te heffen van bepaalde ingevoerde producten op basis van een aangenomen norm, in plaats van feitelijke opnemingen.

ARTIKEL XII

Ingeval een van beide Regeeringen eenigen maatregel treft, welke, zonder met de bewoordingen van dit Verdrag in strijd te zijn, toch, naar de opvatting van de andere Regeering, het gevolg heeft, dat daardoor de waarde van eenige in het Verdrag getroffen voorziening, hetzij te niet wordt gedaan, hetzij wezenlijk en in belangrijke mate wordt verminderd, zal de Regeering, welke een dergelijken maatregel heeft getroffen, in overweging nemen alle schriftelijke vertoogen of voorstellen, welke de andere Regeering mocht indienen om tot eene wederzijds bevredigende regeling terzake te geraken. Indien geen overeenkomst is bereikt met betrekking tot zoodanige vertoogen of voorstellen binnen dertig dagen nadat zij zijn ontvangen, zal de Regeering, welke deze heeft ingediend, de bevoegdheid hebben binnen vijftien dagen na afloop van het hiervoor genoemde tijdvak van dertig dagen, dit Verdrag in zijn geheel schriftelijk op te zeggen met een termijn van zestig dagen.

Duties based on arbitrary quantities in lieu of actual measurement.

Adjustment of measures impairing objects of agreement

Right to terminate.

ARTICLE XIII

ARTIKEL XIII

Provisions not to apply to Philippine Islands, etc

Except as otherwise provided in the second paragraph of this Article, the provisions of this Agreement relating to the treatment to be accorded by the United States of America and the Kingdom of the Netherlands, respectively, to the commerce of the other country, shall not apply to the Philippine Islands, the Virgin Islands, American Samoa, the Island of Guam, or to the Panama Canal Zone.

Commerce between possessions.

The provisions of this Agreement regarding most-favored-nation treatment shall apply to articles the growth, produce or manufacture of any territory under the sovereignty or authority of the United States of America or the Kingdom of the Netherlands, imported from or exported to any territory under the sovereignty or authority of the other country. It is understood, however, that the provisions of this paragraph do not apply to the Panama Canal Zone.

Canal Zone excepted.

Advantages accorded by U. S., its territories, etc., to one another or Cuba.

The advantages now accorded or which may hereafter be accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another or to the Republic of Cuba shall be excepted from the operation of this Agreement. The provisions of this paragraph shall continue to apply in respect of any advantages now or hereafter accorded by the United States of America, its territories or possessions or the Panama Canal Zone to the Philippine Islands irrespective of any change in the political status of the Philippine Islands.

Advantages accorded to Philippine Islands.

Netherlands and its overseas territories.

This Agreement shall not apply to the advantages which the Netherlands and its overseas territories have granted or hereafter may grant to one another nor to the advantages which these over-

Voor zoover in de tweede alinea van dit Artikel niet in anderen zin is bepaald, zullen de bepalingen van dit Verdrag betreffende de behandeling, welke door respectievelijk de Vereenigde Staten van Amerika en het Koninkrijk der Nederlanden aan den handel van het andere land zal worden toegekend, niet van toepassing zijn op de Philippijnen, de Maagdeneilanden, Amerikaansch Samoa, het eiland Guam of op de Panama kanaal Zone.

De bepalingen van dit Verdrag, betreffende de behandeling als meestbegunstigde natie, zullen van toepassing zijn op producten van bodem en nijverheid van elk gebied, staande onder de souvereiniteit of het gezag van de Vereenigde Staten van Amerika of van het Koninkrijk der Nederlanden, welke worden ingevoerd van of uitgevoerd naar elk gebied, staande onder de souvereiniteit of het gezag van het andere land. Het is echter wel verstaan, dat de bepalingen van deze alinea niet van toepassing zijn op de Panama kanaal Zone.

De voordeelen, welke thans zijn of later mochten worden verleend door de Vereenigde Staten van Amerika, Hunne gewesten of bezittingen of de Panama kanaal Zone aan elkander, of aan de Republiek Cuba, zullen van de werking van dit Verdrag uitgesloten zijn. De bepalingen van deze alinea zullen van toepassing blijven ten aanzien van alle voordeelen, thans of in de toekomst door de Vereenigde Staten van Amerika, Hunne gewesten of bezittingen of de Panama kanaal Zone aan de Philippijnen toegekend of toe te kennen, ongeacht elke wijziging in den politieken status van de Philippijnen.

Dit Verdrag zal niet van toepassing zijn op de voordeelen, welke Nederland en zijn overzeesche gewesten aan elkander hebben verleend of in de toekomst mochten verleenen, noch op de

seas territories have granted or hereafter may grant to one another.

voordeelen welke die overzeesche gewesten elkander hebben verleend of in de toekomst mochten verleen.

ARTICLE XIV

Each Government reserves the right to withdraw or to modify the concession granted on any article under this Agreement, or to impose quantitative restrictions on any such article if, as a result of the extension of such concession to third countries, such countries obtain the major benefit of such concession and in consequence thereof an unduly large increase in importations of such article takes place: Provided, That before either Government shall avail itself of the foregoing reservations, it shall give notice in writing to the other Government of its intention to do so, and shall allow a period of not less than thirty days before such action is taken for reaching an agreement with respect thereto or with respect to such compensatory modifications of the terms of the present Agreement as may be appropriate. If at the end of the aforesaid period of thirty days a satisfactory agreement has not been reached, the Government which proposed to take such action shall be free to do so at any time thereafter, and the other Government shall be free within fifteen days after such action has been taken to terminate this Agreement in its entirety on thirty days' written notice.

ARTIKEL XIV

Elk van beide Regeeringen behoudt zich het recht voor de voor eenig product, krachtens dit Verdrag, verleende concessie in te trekken of te wijzigen, of voor eenig zoodanig product quantitative beperkingen in te stellen, indien, als een gevolg van de uitstrekking van een zoodanige concessie tot derde landen, laatstgenoemde landen het grootste voordeel van eene dergelijke concessie zouden genieten en diensgevolge een buiten verhouding groote toeneming van den invoer van een zoodanig product zou plaats vinden, met dien verstande, dat, alvorens een van beide Regeeringen van het hier voorgenoemde voorbehoud gebruik maakt, Zij de andere Regeering schriftelijk in kennis zal stellen van Haar voornemen zulks te doen en dat Zij, alvorens tot een dergelijken maatregel over te gaan, een termijn van niet minder dan dertig dagen zal toestaan teneinde tot overeenstemming te geraken, hetzij over bedoelden maatregel, hetzij over eventueel in de bepalingen van dit Verdrag aan te brengen passende compenseerende wijzigingen. Indien aan het einde van het hiervoor genoemde tijdvak van dertig dagen geen bevredigende overeenkomst is bereikt, zal het der Regeering, welke voorstelde bedoelden maatregel te treffen, vrij staan op elk tijdstip daarna daartoe over te gaan en zal de andere Regeering de bevoegdheid hebben binnen vijftien dagen nadat zulk een maatregel is getroffen, dit Verdrag in zijn geheel schriftelijk op te zeggen met een termijn van dertig dagen.

Right to withdraw concessions reserved.

Previous notice in writing to be given

Termination of Agreement.

ARTICLE XV

The Kingdom of the Netherlands embraces the Netherlands, the Netherlands Indies, Surinam,

ARTIKEL XV

Het Koninkrijk der Nederlanden omvat Nederland, Nederlandsch-Indië, Suriname en Cu-

Terms defined.

and Curaçao; wherever the term "Netherlands" is used in this Agreement it refers only to the territory in Europe.

Wherever the term "United States of America" is used in this Agreement, it is understood to embrace the territories of Hawaii and Alaska, and Puerto Rico, as well as continental United States.

ARTICLE XVI

Schedules and notes deemed integral parts of Agreement.
Post, p. 1526.

Schedules I, II, III and IV, and the notes included in them, shall have force and effect as integral parts of this Agreement.

ARTICLE XVII

Agreement to be proclaimed.

The present Agreement shall be proclaimed by the President of the United States of America and shall be ratified by Her Majesty the Queen of the Netherlands.

Provisional application of designated articles.

Pending ratification of this Agreement by Her Majesty the Queen of the Netherlands, the provisions of Articles I to XVI, inclusive, shall be applied reciprocally, by the United States of America and the Kingdom of the Netherlands on February 1, 1936, and thereafter until the day on which the entire Agreement shall come into force.

Effective date and duration.

The entire Agreement shall come into force one month after the day on which the Netherlands Government has communicated the ratification by Her Majesty the Queen of the Netherlands to the Government of the United States of America and the Government of the United States of America has communicated the proclamation of the President of the United States of America to the Netherlands Government. The Agreement shall continue in force until January 1, 1939, subject to the provisions of Article I, Article VI, Article VII, Article IX, Article XII, and Article XIV.

raçao; overal waar in dit Verdrag de benaming "Nederland" is gebruikt, heeft deze alleen betrekking op het gebied in Europa.

Het is wel verstaan dat overal, waar in dit Verdrag de benaming "Vereenigde Staten van Amerika" is gebruikt, deze, behalve de continentale Vereenigde Staten, de gewesten Hawaii en Alaska en Puerto Rico omvat.

ARTIKEL XVI

De Lijsten I, II, III en IV, alsmede de daarin opgenomen aantekeningen, zullen van kracht zijn en daaraan zal worden gevolgd gegeven als integreerende onderdeelen van dit Verdrag.

ARTIKEL XVII

Dit Verdrag zal worden afgekondigd door den President van de Vereenigde Staten van Amerika en geratificeerd door Hare Majesteit de Koningin der Nederlanden.

In afwachting van de ratificatie van dit Verdrag door Hare Majesteit de Koningin der Nederlanden, zullen de bepalingen van de Artikelen I tot en met XVI door de Vereenigde Staten van Amerika en het Koninkrijk der Nederlanden van 1 Februari 1936 af wederkeerig worden toegepast tot op den dag, waarop het geheele Verdrag van kracht zal worden.

Het geheele Verdrag zal van kracht worden een maand na den dag, waarop eenerzijds de Nederlandsche Regeering aan de Regeering van de Vereenigde Staten van Amerika zal hebben kennis gegeven van de ratificatie door Hare Majesteit de Koningin der Nederlanden, anderzijds de Regeering van de Vereenigde Staten van Amerika aan de Nederlandsche Regeering zal hebben kennis gegeven van de afkondiging door den President van de Vereenigde Staten van Amerika. Het Verdrag zal van kracht blijven tot 1 Januari 1939, onverminderd de bepalingen van Artikel I, Artikel VI, Artikel VII, Artikel IX, Artikel XII en Artikel XIV.

Unless at least six months before January 1, 1939, either Government shall have given to the other Government notice of intention to terminate the Agreement on that date, the Agreement shall remain in force thereafter, subject to the provisions of Article I, Article VI, Article VII, Article IX, Article XII, and Article XIV, until six months from the day on which either Government shall have given such notice to the other Government.

Tenzij een van beide Regeeringen ten minste zes maanden voor 1 Januari 1939 aan de andere zal hebben kennis gegeven van Haar voornemen het Verdrag op dien datum te beëindigen, zal het Verdrag daarna, onverminderd de bepalingen van Artikel I, Artikel VI, Artikel VII, Artikel IX, Artikel XII en Artikel XIV, van kracht blijven tot zes maanden na den dag, waarop een van beide Regeeringen de andere met dat voornemen in kennis zal hebben gesteld.

In witness whereof the respective Plenipotentiaries have signed this Agreement and have affixed their seals hereto.

Ter oorkonde waarvan de wederzijdsche Gevolmachtigden dit Verdrag hebben onderteekend en hunne zegels daaraan hebben gehecht.

Signatures.

Done in duplicate, in the English and Netherlands languages, both authentic, at the City of Washington this twentieth day of December, nineteen hundred and thirty-five.

Opgemaakt in tweevoud in de Engelsche en in de Nederlandsche taal, beide van gelijke rechtskracht, te Washington, den twintigsten December negentien honderd vijf en dertig.

For the President of the United States of America:

CORDELL HULL [SEAL]

For Her Majesty the Queen of the Netherlands:

LAMPING [SEAL]

Schedule I.

SCHEDULE I

NOTE 1: In determining the articles to which the treatment specified in this Schedule shall apply, the descriptions in the column headed "Articles" shall be controlling.

NOTE 2: The term "in packages" where used in this Schedule refers to articles in containers of 1200 grams net or less. The term "in bulk" means articles not in containers of 1200 grams net or less, and not in tablets or other special forms, except crystals, of 200 grams net or less.

Section A Netherlands Tariff Law of 1934 Tariff Number		Articles	Basis of Assessment	Rate of Duty	Monopoly Fee
Ex 6		Copy presses, letter presses and similar office equipment:			
		1) If weighing 150 kilos or less	Ad val.	10%	-----
		2) If weighing over 150 kilos	Ad val.	6%	-----
Ex 8		Automobile tires: casings	Ad val.	12%	-----
Ex 8		Automobile tires: inner tubes	Ad val.	12%	-----
Ex 59 B. B. 2a		Lumber, American fir and pine, when merely squared	-----	Free	-----
62 I and II		Refrigerators and refrigerating apparatus assembled or not, and parts thereof:			
		1) If volume exceeds 2 cu. meters (outside measurement) for refrigerators or if weight exceeds 15 kilos for refrigerating units	Ad val.	6%	-----
		2) All other types	Ad val.	12%	-----
Ex 95 B. B. a, b and d		Copper, in pigs, bars and ingots	-----	Free	-----
Ex 104 II and B. B. 2b		Turpentine, vegetable	-----	Free	-----
Ex 104		Pure lard and steam lard:			
		a) When used as a basic material for fabrication of margarine	-----	Free	-----
		b) When used as a basic material for technical production	-----	Free	-----
		c) When used for reexport, fabricated or not	-----	Free	-----

LIJST I

Aanteekening 1. Bij het bepalen van de artikelen, waarop de in deze lijst vastgestelde behandeling betrekking heeft, zal de omschrijving in de kolom met bovenschrijft "Artikelen" beslissend zijn.

Aanteekening 2. Waar in deze lijst de aanduiding "verpakt" wordt gebruikt, heeft deze betrekking op artikelen in verpakkingen van 1200 gram netto of minder; de aanduiding "in bulk" heeft betrekking op artikelen niet in verpakkingen van 1200 gram netto of minder, en niet in tabletten of andere bepaalde vormen, kristallen uitgezonderd, van 200 gram netto of minder.

Sectie A
Nederland

Tariefwet 1934 Tariefpost	Artikelen	Maatstaf	Rechten	Monopolie heffing
Ex 6	Copieerpersen, drukpersen en dergelijke kantoorbenodigdheden:			
	1) indien zij een gewicht hebben van 150 kg of minder	waarde	10 pct.	-----
	2) indien zij meer wegen dan 150 kg	waarde	6 pct.	-----
Ex 8	Autobuitenbanden	waarde	12 pct.	-----
Ex 8	Autobinnenbanden	waarde	12 pct.	-----
Ex 59 B. B. 2a	Amerikaansch grenen-, vuren- en pijnboomenhout, indien in stammen of vierkant behakt of gezaagd	-----	vrij	-----
62 I en II	Koelkasten en koelapparaten, al dan niet samengesteld, en onderdeelen daarvan:			
	1) indien de inhoudsruimte groter is dan 2 M ³ buitenwerks voor koelkasten of indien het gewicht groter is dan 15 kg voor koelelementen	waarde	6 pct.	-----
	2) voor alle andere types	waarde	12 pct.	-----
Ex 95 B. B. a, b en d	Koper in koeken, staven en blokken	-----	vrij	-----
Ex 104 II en B. B. 2b	Plantaardige terpentijn	-----	vrij	-----
Ex 104	Pure lard en steam lard:			
	a) indien gebruikt als grondstof voor de fabricage van margarine	-----	vrij	-----
	b) indien gebruikt als grondstof voor de technische industrie	-----	vrij	-----
	c) indien gebruikt voor reexport, al dan niet bewerkt	-----	vrij	-----

Schedule I—Continued.

SCHEDULE I—Continued

Section A Netherlands		Articles	Basis of Assessment	Rate of Duty	Monopoly Fee
Tariff Law of 1934 Tariff Number					
<p><i>Note 1:</i> Exemption from crisis tax or refund of such crisis tax actually paid, as may be in effect at the time of importation, can be obtained if these fats are used as a basic material for:</p> <p>a) Fabrication of margarine; b) Technical production; c) Reexport, fabricated or not.</p> <p><i>Note 2:</i> If quantitative limitations are placed upon the importation into the Netherlands of pure lard and steam lard for any use whatsoever, the United States of America shall be accorded, at the choice of the United States, either a percentage equal to the average imports from the United States in the years 1929, 1930, and 1931, or a percentage equal to the imports from the United States in the year 1934, the total imports from the United States being calculated by adding direct imports, imports through free ports and imports out of bond.</p>					
Ex 104	Oleomargarine (oleo oil):				
	a) When used as a basic material for fabrication of margarine	-----	Free	-----	
	b) When used as a basic material for technical production	-----	Free	-----	
	c) When used for reexport, fabricated or not	-----	Free	-----	

Notes: Exemption from crisis tax or refund of such crisis tax actually paid, as may be in effect at the time of importation, can be obtained if these fats are used as a basic material for:

- a) Fabrication of margarine;
b) Technical production;
c) Reexport, fabricated or not.

LIJST I—Voortgezet

Sectie A
Nederland

Tariefwet 1934 Tariefpost	Artikelen	Maatstaf	Rechten	Monopolie heffing
	<p><i>Aanteekening 1.</i> Vrijstelling van de crisisbelasting, welke wordt geheven ten tijde van den invoer, of restitutie daarvan, indien deze belasting inderdaad wordt betaald, kan worden verkregen indien deze vetten worden gebruikt als grondstof voor:</p> <p>a) de fabricage van margarine; b) de technische industrie; c) reexport, al dan niet bewerkt.</p>			
	<p><i>Aanteekening 2.</i> Indien de invoer in Nederland van pure lard en steam lard, voor welke doeleinden ook gebruikt, wordt gecontingenteerd, zal aan de Vereenigde Staten van Amerika worden toegekend, ter keuze van de Vereenigde Staten, hetzij een percentage gelijk aan den gemiddelden invoer uit de Vereenigde Staten in de jaren 1929, 1930 en 1931, hetzij een percentage gelijk aan den invoer uit de Vereenigde Staten in het jaar 1934, waarbij de totale invoer uit de Vereenigde Staten zal worden berekend door de samentelling van den directen invoer, den invoer uit vrijhavens en den invoer uit entrepot.</p>			
Ex 104	Oleomargarine (oleo oil):			
	a) indien gebruikt als grondstof voor de fabricage van margarine	-----	vrij	-----
	b) indien gebruikt als grondstof voor de technische industrie	-----	vrij	-----
	c) indien gebruikt voor reexport, al dan niet bewerkt	-----	vrij	-----
	<p><i>Aanteekening.</i> Vrijstelling van de crisisbelasting, welke wordt geheven ten tijde van den invoer, of restitutie daarvan, indien deze belasting inderdaad wordt betaald, kan worden verkregen indien deze vetten worden gebruikt als grondstof voor:</p> <p>a) de fabricage van margarine; b) de technische industrie; c) reexport, al dan niet bewerkt.</p>			

Schedule I—Continued.

SCHEDULE I—Continued

Section A Netherlands		Articles	Basis of Assessment	Rate of Duty	Monopoly Fee
Tariff Law of 1934 Tariff Number					
Ex 104 II B	Oleo stearine: When used as a basic material for: fabrication of margarine; technical production; or reexport, fabricated or not:				
	1) When fluid at 15° C.	100 net kilos	flr. 0.70	-----	
	2) Other	-----	Free	-----	
	<i>Note:</i> Exemption from crisis tax or refund of such crisis tax actually paid, as may be in effect at the time of importation, can be obtained if these fats are used as a basic material for:				
	a) Fabrication of margarine;				
	b) Technical production;				
	c) Reexport, fabricated or not.				
Ex 104 II B	Grease stearine: When used as a basic material for: fabrication of margarine; technical production; or reexport, fabricated or not:				
	1) When fluid at 15° C.	100 net kilos	flr. 0.70	-----	
	2) Other	-----	Free	-----	
	<i>Note:</i> Exemption from crisis tax or refund of such crisis tax actually paid, as may be in effect at the time of importation, can be obtained if these fats are used as a basic material for:				
	a) Fabrication of margarine;				
	b) Technical production;				
	c) Reexport, fabricated or not.				
Ex 118	Typewriters and parts	Ad val.	10%	-----	
Ex 118	Calculating and adding machines, and parts	Ad val.	10%	-----	
Ex 118	Bookkeeping machines and parts	Ad val.	10%	-----	
Ex 129 I	Leaf tobacco; seed leaf, Maryland, Kentucky, and Virginia types	100 net kilos	flr. 1.40	-----	
Ex 143 VI a	Passenger automobiles	Ad val.	15%	-----	

LIJST I—Voortgezet

Sectie A
Nederland

Tariefwet 1934 Tariefpost	Artikelen	Maatstaf	Rechten	Monopolie heffing
Ex 104 II B	Oleo stearine: indien gebruikt als grondstof voor: de fabricage van margarine, de technische industrie, of reexport, al dan met bewerkt:			
	1) indien vloeibaar bij 15° C	100 kg netto	f 0.70	-----
	2) andere	-----	vrij	-----
	<i>Aanteekening.</i> Vrijstelling van de crisisbelasting, welke wordt geheven ten tijde van den invoer, of restitutie daarvan, indien deze be- lasting inderdaad wordt be- taald, kan worden verkregen indien deze vetten worden gebruikt als grondstof voor:			
	a) de fabricage van margarine;			
	b) de technische industrie;			
	c) reexport, al dan niet be- werkt			
Ex 104 II B	Grease stearine: indien gebruikt als grondstof voor: de fabricage van margarine, de technische industrie, of reexport, al dan niet bewerkt:			
	1) indien vloeibaar bij 15° C	100 kg netto	f 0.70	-----
	2) andere	-----	vrij	-----
	<i>Aanteekening.</i> Vrijstelling van de crisisbelasting, welke wordt geheven ten tijde van den invoer, of restitutie daar- van, indien deze belasting inderdaad wordt betaald, kan worden verkregen indien deze vetten worden gebruikt als grondstof voor:			
	a) de fabricage van margarine;			
	b) de technische industrie;			
	c) reexport, al dan niet be- werkt.			
Ex 118	Schrijfmachines en onderdeelen daarvan	waarde	10 pct.	-----
Ex 118	Reken- en optelmachines, en on- derdeelen daarvan	waarde	10 pct.	-----
Ex 118	Boekhoudmachines en onderdee- len daarvan	waarde	10 pct.	-----
Ex 129 I	Tabak in bladen; Seedleaf-, Mary- land-, Kentucky- en Virginia types	100 kg netto	f 1.40	-----
Ex 143 VI a	Personen automobielen	waarde	15 pct.	-----

Schedule I—Continued.

SCHEDULE I—Continued

Section A Netherlands Tariff Law of 1934 Tariff Number		Articles	Basis of Assessment	Rate of Duty	Monopoly Fee
Ex 143 VI a	Commercial automobiles		Ad val.	15%	-----
143 VIII C	Internal combustion engines for				
1b	automobiles and tractors		Ad val.	15%	-----
Ex 143 VII b	Tractors		Ad val.	15%	-----
143 VIII B 1	Chassis and chassis frames for				
	automobiles and tractors		Ad val.	15%	-----
Ex 143 VIII B 2b	Other underframes for tractors		Ad val.	15%	-----
Ex 146 VI B 1b	Horse meat, salted		100 gro. kilos	flr. 7. 50	-----
Ex 148 I 4	Fresh apples		Ad val.	12%	
	<i>Note:</i> Monopoly fees shall be bound, as follows:				
	1) For the period July to February, inclusive, on any quantity imported		Gro. kilo		flr. 0 04
	2) For the period March to June, inclusive, on a quantity of imports not in excess of 13,500 metric tons gross		Gro. kilo		flr. 0.02
	3) For the period March to June, inclusive, on all imports in excess of 13,500 metric tons gross		Gro. kilo		flr. 0.04
Ex 148 I 5	Fresh pears		Ad val.	12%	
	<i>Note:</i> Monopoly fees shall be bound, as follows:				
	1) For the period July to January, inclusive, on any quantity imported		Gro. kilo		flr. 0.04
	2) For the period February to June, inclusive, on a quantity of imports not in excess of 2,300 metric tons gross		Gro. kilo		flr. 0.02
	3) For the period February to June, inclusive, on all imports in excess of 2,300 metric tons gross		Gro. kilo		flr. 0.04

LIJST I—Voortgezet

Sectie A
Nederland

Tariefwet 1934 Tariefpost	Artikelen	Maatstaf	Rechten	Monopolie heffing
Ex 143 VI a	Vracht automobielen	waarde	15 pct.	-----
143 VIII	Inwendige verbrandingsmotoren			
C 1b	voor automobielen en tractors	waarde	15 pct.	-----
Ex 143	Tractors	waarde	15 pct.	-----
VII b				
143 VIII	Chassis en chassisramen voor			
B 1	automobielen en tractors	waarde	15 pct.	-----
Ex 143 VIII	Andere onderstellen voor tractors	waarde	15 pct.	-----
B 2b				
Ex 146 VI B	Paardevleesch, gezouten	100 kg	f 7.50	-----
1b		bruto		
Ex 148 I 4	Versche appels	waarde	12 pct.	
	<i>Aanteekening.</i> De monopolieheffingen zullen als volgt worden vastgelegd:			
	1) voor de periode 1 Juli tot en met 28 Februari, voor elke ingevoerde hoeveelheid	kg bruto		f 0.04
	2) voor de periode 1 Maart tot en met 30 Juni, voor een invoer niet grooter dan 13.500 ton bruto	kg bruto		f 0.02
	3) voor de periode 1 Maart tot en met 30 Juni, voor elke ingevoerde hoeveelheid boven 13.500 ton bruto	kg bruto		f 0.04
Ex 148 I 5	Versche peren	waarde	12 pct.	
	<i>Aanteekening.</i> De monopolieheffingen zullen als volgt worden vastgelegd:			
	1) voor de periode 1 Juli tot en met 31 Januari, voor elke ingevoerde hoeveelheid	kg bruto		f 0.04
	2) voor de periode 1 Februari tot en met 30 Juni, voor een invoer niet grooter dan 2.300 ton bruto	kg bruto		f 0.02
	3) voor de periode 1 Februari tot en met 30 Juni, voor elke ingevoerde hoeveelheid boven 2.300 ton bruto	kg bruto		f 0.04

Schedule I—Continued

SCHEDULE I—Continued

Section A Netherlands Tariff Law of 1934 Tariff Number		Articles	Basis of Assessment	Rate of Duty	Monopoly Fee
		Fresh apples and pears			
		<p><i>Note:</i> In seasons of crop shortage in the Netherlands the period during which the monopoly fee of 2 florin cents shall be applied shall be February to June inclusive in the case of fresh apples and January to June inclusive in the case of fresh pears. The total quantities to be admitted during the periods of application of this rate shall not, however, exceed 13,500 metric tons in the case of fresh apples and 2,300 metric tons in the case of fresh pears. The Netherlands Government will at any time give sympathetic consideration to any representations which the Government of the United States of America may make to the effect that conditions are such as to justify such extension of the period during which the rate of 2 florin cents shall be applied.</p>			
Ex 148 I 6	Dried prunes	Ad val.	12%	flr. 0.02 per net kilo	
Ex 148 I 11	Raisins	Ad val.	12%	flr. 0.01 per kilo: in bales, gross; others, net	
Ex 148 I 16	Apricot kernels	Ad val.	10%	None	
Ex 148 I 18	Grapefruit	Ad val.	12%	flr. 0.01 per gro. kilo	
Ex 148 III Band C	Canned fruits:				
	1) If containing 5% or less added sugar (except pineapple):				
	a) For containers of 1.2 kilos or less	Ad val.	30%	flr. 0.10 per net kilo	
	b) For containers of over 1.2 kilos but not over 5 kilos	Ad val.	15%	flr. 0.05 per net kilo	

LIJST I—Voortgezet

Section A
Nederland

Tariefwet 1934 Tariefpost	Artikelen	Maatstaf	Rechten	Monopolie heffing
Versche appelen en peren:				
<p><i>Aanteekening.</i> Indien in eenig seizoen de oogst in Nederland schaarsch is, zal de periode, waarin de monopolieheffing van f 0.02 zal worden geheven, zich uitstrekken van 1 Februari tot en met 30 Juni, waar het betreft versche appelen, van 1 Januari tot en met 30 Juni, waar het betreft versche peren. Echter zullen de totale hoeveelheden, welke gedurende de perioden waarin deze heffing wordt toegepast, kunnen worden ingevoerd, waar het betreft versche appelen, 13.500 ton, en waar het betreft versche peren, 2.300 ton niet overschrijden. De Nederlandsche Regeering zal ten allen tijde in welwillende overweging nemen alle verzoeken van de Regeering van de Vereenigde Staten van Amerika, erop gericht om te bewijzen, dat de omstandigheden eene verlenging rechtvaardigen van de periode, gedurende welke de heffing van f 0.02 zal worden toegepast.</p>				
Ex 148 I 6	Gedroogde pruimen	waarde	12 pct.	f 0.02 per kg netto
Ex 148 I 11	Rozijnen	waarde	12 pct.	f 0.01 per kg: in balen, bruto; anders, netto
Ex 148 I 16	Abrikozen pitten	waarde	10 pct.	Geene
Ex 148 I 18	Grapefruit	waarde	12 pct.	f 0.01 per kg bruto
Ex 148 III B en C	Verduurzaamde vruchten, anders dan gedroogd, anders dan in pekels:			
	1) indien 5 pct. of minder toegevoegde suiker bevattende (uitgezonderd ananas):			
	a) in verpakking tot en met 1.2 kg	waarde	30 pct.	f 0.10 per kg netto
	b) in verpakking boven 1.2 kg tot en met 5 kg	waarde	15 pct.	f 0.05 per kg netto

Schedule I—Continued.

SCHEDULE I—Continued

Section A Netherlands Tariff Law of 1934 Tariff Number		Articles	Basis of Assessment	Rate of Duty	Monopoly Fee
		2) If containing more than 5% added sugar (except pine- apple):			
		a) For containers of 1.2 kilos or less	Ad val.	30%	fir. 0.05 per net kilo
		b) For containers of over 1.2 kilos but not over 5 kilos	Ad val.	15%	fir. 0.05 per net kilo
		3) Canned pineapple:			
		a) For containers of 1.2 kilos or less	Ad val.	30%	fir. 0.075 per net kilo
		b) For containers of over 1.2 kilos, but not over 5 kilos	Ad val.	15%	fir. 0.075 per net kilo
		<i>Note:</i> Freedom to change the sugar duty and the crisis sugar tax is retained.			
Ex 148 III C 1a and 3a	Canned asparagus: For containers of:				
	1) 1.2 kilos or less		Ad val.	30%	fir. 0.15 per net kilo
	2) over 1.2 kilos but not over 5 kilos		Ad val.	15%	fir. 0.10 per net kilo
	3) over 5 kilos		Ad val.	10%	fir. 0.10 per net kilo
Ex 148 II and Ex 148 III C 1c	1) Rolled oats and cereal break- fast foods: In bulk		-----	Free	} See note
	2) Rolled oats and oat grits: in packages		Ad val.	10%	
		<i>Note:</i> The monopoly fee on rolled oats and oat grits for human consumption is not to exceed 5/3 of the monopoly fee at any time in force on oat grain, without, however, limiting the height of such fees.			

LIJST I—Voortgezet

Sectie A
Nederland

Tariefwet 1934 Tariefpost	Artikelen	Maatstaf	Rechten	Monopolie heffing
	2) indien meer dan 5 pct. toe- gevoegde suiker bevat- tende (uitgezonderd ana- nas):			
	a) in verpakking tot en met 1.2 kg	waarde	30 pct.	f 0.05 per kg netto
	b) in verpakking boven 1.2 kg tot en met 5 kg	waarde	15 pct.	f 0.05 per kg netto
	3) Ananas in blik:			
	a) in verpakking tot en met 1.2 kg	waarde	30 pct.	f 0.075 per kg netto
	b) in verpakking boven 1.2 kg tot en met 5 kg	waarde	15 pct.	f 0.075 per kg netto
	<i>Aanteekening.</i> Het recht om de suiker belasting en de crisis suikerheffing te wijzigen blijft voorbehouden.			
Ex 148 III C 1a en 3a	Asperges in blik: in verpakkingen van:			
	1) 1.2 kg of minder	waarde	30 pct.	f 0.15 per kg netto
	2) meer dan 1.2 kg doch niet meer dan 5 kg	waarde	15 pct.	f 0.10 per kg netto
	3) meer dan 5 kg	waarde	10 pct.	f 0.10 per kg netto
Ex 148 II en ex 148 III C 1c	1) Havermout en "Cereal break- fast foods": in bulk	-----	vrij	{zie aan- teekening
	2) Havermout en gort van haver: verpakt	waarde	10 pct.	{zie aan- teekening
	<i>Aanteekening.</i> De monopoliehef- fing op havermout en op gort van haver, geschikt voor menschelijke consumptie, zal niet meer bedragen dan 5/3 van de monopolieheffing, welke ook van kracht mocht zijn, op haver, zonder echter de hoogte van zoodanige monopoliehef- fingen vast te leggen.			

Schedule I—Con-
tinued.

SCHEDULE I—Continued

Section A Netherlands					
Tariff Law of 1934 Tariff Number	Articles	Basis of Assessment	Rate of Duty	Monopoly Fee	
Ex 148 I 24	"Peeled" and cleaned or polished rice:				
	1) In bulk	-----	Free	{ per 100 kilos flr. 1.00	
	2) In packages	Ad val.	10%		
Ex 33 III	Sulphur, crude or refined, in bulk	-----	Free		
Ex 33 III	Borax, in bulk	-----	Free		
Ex 104	Rosin, in bulk	-----	Free		
Ex 104	Lubricating oil, in bulk	-----	Free		
Ex 148 I	Cotton, raw, in bulk	-----	Free		

Section B Netherlands Indies		Rate of Duty			
Tariff Number (Law of December 29, 1933, Netherlands Staatsblad No 772)	Articles	Basis of Assessment	Import Duty	Temporary Surtax	Total including Surtax
Ex 34 II	Fresh apples	Ad val.	20%	10%	30%
Ex 34 II	Fresh grapes	Ad val.	20%	10%	30%
Ex 36	Dried fruits, n. e. s. except dates and tamarinds	Ad val.	20%	10%	30%
Ex 78	Salmon, cooked, in tins	Ad val.	20%	10%	30%
Ex 93 and Ex 42	Oatmeal, oat flakes, corn flakes, wheat flakes, rice flakes; and grits	Ad val.	12%	6%	18%
Ex 97 II	Fruits, in water, syrup or wine	Ad val.	20%	10%	30%
Ex 101 and Ex 103	Vegetables, preserved; also asparagus and artichokes; in bottles and glass jars or other airtight containers	Ad val.	20%	10%	30%
Ex 121 I	Leaf tobacco	100 net kilos	fkr. 12 00	fkr. 6.00	fkr. 18.00
Ex 211	Patent leather and upper leather	Ad val.	12%	6%	18%
Ex 235 I	Automobile tires: casings	Ad val.	12%	6%	18%
	<i>Note:</i> The right to impose an import quota on automobile tire casings in Netherlands Indies is reserved.				
Ex 235 I	Automobile tires: inner tubes	Ad val.	12%	6%	18%
	<i>Note:</i> The right to impose an import quota on automobile tire tubes in Netherlands Indies is reserved.				

LIJST I—Voortgezet

Sectie A
Nederland

Tariefwet 1934 Tariefpost	Artikelen	Maatstaf	Rechten	Monopolie heffing
Ex 148 I 24	Gepelde rijst:			
	1) in bulk	-----	vrij	{ per 100 kg f 1.00
	2) verpakt	waarde	10 pct.	
Ex 33 III	Zwavel, al dan niet gezuiverd, in bulk	-----	vrij	-----
Ex 33 III	Borax, in bulk	-----	vrij	-----
Ex 104	Hars, in bulk	-----	vrij	-----
Ex 104	Smeerolie, in bulk	-----	vrij	-----
Ex 148 I	Ruwe katoen, in bulk	-----	vrij	-----

Sectie B Neder-
landsch-IndiëVolgnummer
(Wet van 29
December 1933,
Ned. Staats-
blad No 772)

Artikelen	Maatstaf	Rechten		
		Invoerrecht	Tijdelijke opcenten	Totaal incl. opcenten
Ex 34 II	Versche appelen	waarde 20%	10%	30%
Ex 34 II	Versche druiven	waarde 20%	10%	30%
Ex 36	Gedroogde vruchten, n. a. g. behalve dadels en tama- rinde	waarde 20%	10%	30%
Ex 78	Zalm, enkel gekookt, in blikken	waarde 20%	10%	30%
Ex 93 en Ex 42	Havermout, haver- mais- tarwe- en rijstvlokken, zoomede gort en grutten	waarde 12%	6%	18%
Ex 97 II	Vruchten in water of jus of in wijn	waarde 20%	10%	30%
Ex 101 en Ex 103	Groenten, geconserveerd, alsmede asperges en artis- jokken; in flesschen of glazen potten of in andere luchtdichte verpakking	waarde 20%	10%	30%
Ex 121 I	Tabak in bladen	100 kg netto f 12.00	f 6.00	f 18.00
Ex 211	Lakleder en overleder	waarde 12%	6%	18%
Ex 235 I	Automobielbanden: buiten- banden	waarde 12%	6%	18%
	<i>Aanteekening.</i> Het recht is voorbehouden den invoer van automobiel-buiten- banden in Nederlandsch- Indië te contingentereen.			
Ex 235 I	Automobielbanden: binnen- banden	waarde 12%	6%	18%
	<i>Aanteekening.</i> Het recht is voorbehouden den invoer van automobiel-binnen- banden in Nederlandsch- Indië te contingentereen.			

Schedule I—Continued.

SCHEDULE I—Continued

Section B Netherlands Indies

Tariff Number
(Law of December 29, 1933,
Netherlands
Staatsblad No.
772)

	Articles	Basis of Assessment	Rate of Duty		
			Import Duty	Temporary Surtax	Total Including Surtax
Ex 714	Internal combustion and explosion motors and parts:				
	1) For automobiles of all kinds	Ad val.	20%	10%	30%
	2) For rail traction	-----	Free		
	3) For boats and airplanes	Ad val.	12%	6%	18%
745	Refrigerators and cooling apparatus for household and commercial use, (as described in the Netherlands Indian tariff of December 29, 1933) and parts thereof	Ad val.	20%	10%	30%
Ex 761	Typewriters and parts	Ad val.	12%	6%	18%
Ex 761	Calculating and adding machines and parts	Ad val.	12%	6%	18%
834 I and II	Passenger automobiles, motor trucks, and motor busses:				
	1) Passenger automobiles	Ad val.	20%	10%	30%
	2) Motor trucks and busses	Ad val.	12%	6%	18%
836 I and II	Automobile chassis and parts:				
	1) For trucks and busses	Ad val.	12%	6%	18%
	2) For passenger automobiles	Ad val.	20%	10%	30%
837	Automobile accessories	Ad val.	20%	10%	30%

LIJST I—Voortgezet

Sectie B Neder-
landsch-IndiëVolnummer
(Wet van 29
December 1933,
Ned. Staats-
blad No. 772)

	Artikelen	Maatstaf	Rechten		
			Invoerrecht	Tijdelijke opoenten	Totaal incl. opoenten
Ex 714	Inwendige verbrandings- en explosie motoren en on- derdeelen:				
	1) voor alle soorten auto- mobielen	waarde	20%	10%	30%
	2) voor spoorwegen, enz.	-----	vrij	-----	-----
	3) voor vaartuigen en vliegtuigen	waarde	12%	6%	18%
745	Koelkasten en koelappara- ten voor huishoudelijk en commercieel gebruik (zoo- als omschreven in het Ne- derlandsch-Indisch Tarief van 29 Dec. 1933) en on- derdeelen	waarde	20%	10%	30%
Ex 761	Schrijfmachines en onderdee- len	waarde	12%	6%	18%
Ex 761	Reken- en optelmachines en onderdeelen	waarde	12%	6%	18%
834 I en II	Personen automobielen, vracht automobielen en autobussen:				
	1) personen automobielen	waarde	20%	10%	30%
	2) vracht automobielen en autobussen	waarde	12%	6%	18%
836 I en II	Automobiel-chassis en auto- mobiel onderdeelen:				
	1) voor vracht automobie- len en autobussen	waarde	12%	6%	18%
	2) voor personen automo- bielen	waarde	20%	10%	30%
837	Toebehooren en uitrustings- stukken voor automobie- len	waarde	20%	10%	30%

Schedule II.

SCHEDULE II

Note: The provisions of this Schedule shall be construed and given the same effect, and the application of collateral provisions of the customs laws of the United States to the provisions of this Schedule shall be determined insofar as may be practicable as if each provision of this Schedule appeared respectively in the statutory provision noted in the column at the left of the respective descriptions of articles.

In the case of articles enumerated in this Schedule, which are subject on the day of the signature of this Agreement to additional or separate ordinary customs duties, whether or not imposed under the statutory provision noted in the column at the left of the respective description of the article, such separate or additional duties shall continue in force, subject to any reduction indicated in this Schedule or hereafter provided for, until terminated in accordance with law, but shall not be increased.

United States Tariff Act of 1930 Paragraph	Articles	Rate of Duty
4	Amyl alcohol, whether primary, secondary, or tertiary	4¢ per lb.
4	Fusel oil	4¢ per lb.
5	Laundry sour containing not less than 20 per centum of sodium silicofluoride and not less than 10 per centum of oxalic acid, not specially provided for	15% ad val.
5	Ammonium silicofluoride	15% ad val.
5 and 23	Haarlem oil, whether or not in any form or container specified in paragraph 23	15% ad val.
15	Caffeine	90¢ per lb.
15	Theobromine	65¢ per lb.
24	Flavoring extracts, and natural or synthetic fruit flavors, fruit esters, oils and essences, all the foregoing and their combinations, containing more than 50 per centum of alcohol	60¢ per lb. and 18% ad val.
37	Amyl acetate	4¢ per lb.
41	Edible gelatin, valued at less than 40 cents per pound	12% ad val. and 2½¢ per lb.
42	Glycerin, refined	¾¢ per lb., plus the lowest rate of ordinary customs duty provided for crude glycerin the product of any foreign country except Cuba, at the time such refined glycerin is entered, or withdrawn from warehouse, for consumption; but not more than 1¾¢ per lb.
58	Distilled or essential cajeput oil not containing alcohol	12½% ad val.

LIJST II

Aanteekening. De Bepalingen van deze lijst zullen worden uitgelegd en uitgevoerd, en de toepassing van daarmede samengaande bepalingen van de douanewetten van de Vereenigde Staten op de bepalingen van deze lijst zal, voor zoover doenlijk, worden vastgesteld alsof elke bepaling in deze lijst voorkwam in de wettelijke bepaling, vermeld in de kolom, links van de omschrijving van de betreffende artikelen.

Ingeval artikelen, opgenomen in deze lijst, op den dag van onderteekening van dit verdrag onderworpen zijn aan bijkomende of afzonderlijke gewone douanerechten, al dan niet opgelegd krachtens de wettelijke bepaling, vermeld in de kolom, links van de omschrijving van het betreffende artikel, zullen deze afzonderlijke of bijkomende rechten gehandhaafd blijven, behoudens eenige verlaging, welke in deze lijst is aangegeven of later mocht worden voorgeschreven, totdat zij worden opgeheven krachtens de wet, doch zij zullen niet worden verhoogd.

Tariefwet van de
Vereenigde Sta-
ten van 1930
Paragraaf

Artikelen

Rechten

4	Amyl alcohol, hetzij primair, secundair of tertiair	4 dollarcent per Am. pond
4	Foezelolie	4 dollarcent per Am. pond
5	"Laundry sour", niet minder dan 20% natrium silico fluoride en niet minder dan 10% zuring zuur bevattende, n.a.g.	15% ad val.
5	Ammonium silico fluoride	15% ad val.
5 en 23	Haarlemmer olie, al dan niet in eenigen vorm of in eenige verpakking als aangegeven in paragraaf 23	15% ad val.
15	Cafeïne	90 dollarcent per Am. pond
15	Theobromine	65 dollarcent per Am. pond
24	Aromatische extracten, en natuurlijke of synthetische vruchten aroma's, vruchtenesters, olien en essences, met hunne samenstellingen, meer dan 50% alcohol bevattende	60 dollarcent per Am. pond en 18% ad val.
37	Amyl acetaat	1 dollarcent per Am. pond
41	Eetbare gelatine, van een waarde van minder dan 40 dollarcent per Am. pond	12% ad val. en 2½ dollarcent per Am. pond
42	Glycerine, geraffineerd	¾ dollarcent per Am. pond, plus het laagste gewone invoerrecht op ruwe glycerine, herkomstig uit eenig vreemd land, uitgezonderd Cuba, geldende ten tijde dat dergelijke geraffineerde glycerine wordt ingevoerd, of uit entrepot wordt betrokken, voor consumptie, doch niet hooger dan 1½ dollarcent per Am. pond
58	Gedistilleerde of vluchtige kajapoeti olie, geen alcohol bevattende	12½% ad val.

Schedule II—Continued.

SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Articles	Rate of Duty
77	Lithopone, and other combinations or mixtures of zinc sulphide and barium sulphate containing by weight less than 30 per centum of zinc sulphide	1½¢ per lb.
83	Potato starch	1½¢ per lb.
84	Dextrine, made from potato starch or potato flour	2¼¢ per lb.
353	Electrical X-ray apparatus, instruments (other than laboratory), and devices, and parts thereof; any of the foregoing, finished or unfinished, wholly or in chief value of metal, and not specially provided for	17½% ad val.
601	Wrapper tobacco, and filler tobacco when mixed or packed with more than 35 per centum of wrapper tobacco, entered for consumption or withdrawn from warehouse for consumption: Not later than June 30, 1936	
	If unstemmed	\$1.875 per lb.
	If stemmed	\$2.525 per lb.
	After June 30, 1936	
	If unstemmed	\$1.50 per lb.
	If stemmed	\$2.15 per lb.
710	Edam and Gouda cheese	5¢ per lb., but not less than 25% ad val.
719 (4)	Herring, pickled or salted (except herring packed in oil or in oil and other substances), whether or not boned, in immediate containers weighing with their contents more than fifteen pounds each and containing each not more than ten pounds of herring, net weight	¾¢ per lb., net weight
722	Pearl barley	1¢ per lb.
727	Broken rice, which will pass readily through a metal sieve perforated with round holes five and one-half sixty-fourths of one inch in diameter	¾¢ per lb.
753	Tulip bulbs	\$3 per thousand
	Narcissus bulbs	\$6 per thousand
	Crocus corms	\$1 per thousand
	All other bulbs, roots, rootstocks, clumps, corms, tubers, and herbaceous perennials, imported for horticultural purposes and not specially provided for	15% ad val.
754	Seedlings and cuttings of Manetti, multiflora, brier, rugosa, and other rose stock, all the foregoing not more than three years old	\$1 per thousand

LIJST II—Voortgezet

Tariefwet van de Vereenigde Sta- ten van 1930 Paragraaf	Artikelen	Rechten
77	Lithopoon, en andere verbindingen of mengsels van zink sulphide en barium sulfaat naar gewicht minder dan 30% zink sulphide bevattende	1½ dollarcent per Am. pond
83	Aardappelmeel	1¼ dollarcent per Am. pond
84	Dextrine, uit aardappelmeel vervaardigd	2¼ dollarcent per Am. pond
353	Electrische Röntgen-apparaten, instrumenten (voorzoover niet voor laboratorium doeleinden bestemd), en toestellen, en onderdeelen daarvan, afgewerkt of onafgewerkt, naar de waarde geheel of voor een overwegend gedeelte van metaal, en n.a.g.	17½% ad val.
601	Tabak, dekblad en binnengoed, indien gemengd of verpakt met meer dan 35% dekblad, ingevoerd in het vrije verkeer dan wel uit entrepot betrokken voor verbruik:	
	Niet later dan 30 Juni, 1936	
	Indien ongestript	1.875 dollar per Am. pond
	Indien gestript	2.525 dollar per Am. pond
	Na 30 Juni, 1936	
	Indien ongestript	1.50 dollar per Am. pond
	Indien gestript	2.15 dollar per Am. pond
710	Edammer en Gouda kaas	5 dollarcent per Am. pond, doch niet minder dan 25% ad val.
719 (4)	Haring, in pek of gezouten (uitgezonderd haring in olie of in olie en andere bestanddeelen), al dan niet ontgraat, in onmiddellijke verpakkingen, elk met inhoud meer dan 15 Am. ponden wegende en niet meer dan 10 Am. ponden, netto gewicht, haring bevattende	¾ dollarcent per Am. pond netto gewicht
722	Parelgerst	1 dollarcent per Am. pond
727	Gebroken rijst, welke gereedelijk door een metalen zeef gaat, geperforeerd met ronde gaten van een doorsnede van vijf en een half vier en zestigste inch	⅝ dollarcent per Am. pond
753	Tulpebollen Narcisbollen Crocus tuberkels Alle andere bollen, wortels, wortelstokken, pollen, tuberkels, knollen, en kruidachtige overblijvende planten, ingevoerd voor tuinbouwkundige doeleinden, en n. a. g.	3 dollar per duizend 6 dollar per duizend 1 dollar per duizend
754	Zaaiplanten en stekken van Manetti, multiflora, wilde rozen, rugosa, en andere stamrozen, indien niet ouder dan drie jaar	15% ad val. 1 dollar per duizend

Schedule II—Continued

SCHEDULE II—Continued

	United States Tariff Act of 1930 Paragraph	Articles	Rate of Duty
762		Poppy seed	16¢ per 100 lbs.
764		Other garden and field seeds:	
		Beet (except sugar beet)	3¢ per lb.
		Cabbage	6¢ per lb.
		Carrot	3¢ per lb.
		Kale	3¢ per lb.
		Mangelwurzel	2¢ per lb.
		Radish	3¢ per lb.
		Spinach	½¢ per lb.
		Turnip	4¢ per lb.
		Rutabaga	4¢ per lb.
		Flower	3¢ per lb.
		All other garden and field seeds not specially provided for	3¢ per lb.
769		Split peas	1¼¢ per lb.
774		Cabbage in its natural state	1½¢ per lb.
775		Sauerkraut	25% ad val.
775		Onions, pickled, or packed in brine	25% ad val.
776		Chicory, ground, or otherwise prepared	3¢ per lb.
777 (a)		Cocoa and chocolate, unsweetened	1½¢ per lb., net weight
777 (b)		Cocoa and chocolate, sweetened:	
		In bars or blocks weighing ten pounds or more each	2¢ per lb.
		In any other form, whether or not prepared, valued at 10 cents or more per pound	20% ad val.
777 (c)		Cacao butter	12½% ad val.
802		Gin	\$2.50 per proof gallon
912		Labels, for garments or other articles, wholly or in chief value of cotton or other vegetable fiber	25% ad val.
1005 (a) (1)		Cordage, including cables, tarred or untarred, composed of three or more strands, each strand composed of two or more yarns, wholly or in chief value of sisal	1¢ per lb.
		Any of the foregoing smaller than three-fourths of one inch in diameter shall be subject to an additional duty of	7½% ad val.

LIJST II—Voortgezet

Tariefwet van de
Vereenigde Sta-
ten van 1930
Paragraaf

Artikelen

Rechten

762	Blauwmaanzaad	16 dollarcent per 100 Am. ponden
764	Andere tuin- en veldzaden:	
	Bieten- (uitgezonderd suikerbieten-)	3 dollarcent per Am. pond
	Kool-	6 dollarcent per Am. pond
	Peen-	3 dollarcent per Am. pond
	Boerenkool-	3 dollarcent per Am. pond
	Mangelwortel-	2 dollarcent per Am. pond
	Radijs-	3 dollarcent per Am. pond
	Spinazie-	½ dollarcent per Am. pond
	Rapen-	4 dollarcent per Am. pond
	Rutabaga-	4 dollarcent per Am. pond
	Bloem-	3 dollarcent per Am. pond
	Alle andere tuin- en veldzaden, n a. g.	3 dollarcent per Am. pond
769	Spliterwten	1¼ dollarcent per Am. pond
774	Kool in natuurlijken staat	1½ dollarcent per Am. pond
775	Zuurkool	25% ad val.
775	Uien, ingemaakt of in pek	25% ad val.
776	Cichorei, gemalen of anders bewerkt	3 dollarcent per Am. pond
777 (a)	Cacao en chocolade, ongesuikerd	1½ dollarcent per Am. pond netto gewicht
777 (b)	Cacao en chocolade, gesuikerd:	
	In reepen of blokken, elk tien of meer Am. ponden wegende	2 dollarcent per Am. pond
	In eenigen anderen vorm, al dan niet bewerkt, van een waarde van 10 dollarcent of meer per Am. pond	20% ad val.
777 (c)	Cacao boter	12½% ad val.
802	Jenever	2.50 dollar per proof gallon
912	Etiketten, voor kledingstukken of andere artikelen, naar de waarde geheel of voor een overwegend gedeelte van katoen of andere plantaardige vezels	25% ad val.
1005 (a) (1)	Touwwerk, kabels inbegrepen, geteerd of ongeteerd, samengesteld uit drie of meer strengen, elke streng samengesteld uit twee of meer garens, naar de waarde geheel of voor een overwegend gedeelte van sisal	1 dollarcent per Am. pond
	Elk van de hiervoren vermelde artikelen, indien in doorsnede kleiner dan drie vierde van een inch, zal onderhevig zijn aan een bijkomend invoerrecht van	7½% ad val.

Schedule II—Continued.

SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Articles	Rate of Duty
1005 (b)	Cords and twines (whether or not composed of three or more strands, each strand composed of two or more yarns), tarred or untarred, single or plied, wholly or in chief value of manila (abaca), sisal, henequen, or other hard fiber	20% ad val.
1012	Pile fabrics, whether or not the pile covers the entire surface, wholly or in chief value of vegetable fiber, except cotton, and all articles, finished or unfinished, made or cut from such pile fabrics; if the pile is partly cut	30% ad val.
1407 (a)	Bristol board of the kinds made on a Four-drinier or a multicylinder machine, weighing eight pounds or over per ream and valued at not above 15 cents per pound	2¢ per lb. and 10% ad val.
1409	Strawboard and straw paper, including such as is known as wrapping paper; any of the foregoing less than twelve one thousandths but not less than eight one thousandths of one inch in thickness, not specially provided for	15% ad val.
1504 (b) (5)	Hats provided for in paragraph 1504, if known as harvest hats and valued at less than \$3 per dozen	12½% ad val.
1552	Tobacco pipes having clay bowls (not including meerschaum) and mouthpieces of material other than clay	2½¢ each and 30% ad val.
1602	Aloes, which are natural and uncompounded and are in a crude state, not advanced in value or condition by shredding, grinding, chipping, crushing, or any other process or treatment whatever beyond that essential to proper packing and the prevention of decay or deterioration pending manufacture, not containing alcohol	Free
1609	Gambier, and extracts thereof, not containing alcohol	Free
1619	Barks, cinchona or other, from which quinine may be extracted	Free
1681	Moleskins, undressed	Free
1684	Kapok, not dressed or manufactured in any manner	Free
1684	Sisal, not dressed or manufactured in any manner	Free

LIJST II—Voortgezet

Tariefwet van de
Vereenigde Sta-
ten van 1930
Paragraaf

Artikelen

Rechten

1005(b)	Touw en twijndraad (al dan niet samengesteld uit drie of meer strengen, elke streng samengesteld uit twee of meer garens), geteerd of ongeteerd, enkelvoudig of doorgeschoten, naar de waarde geheel of voor een overwegend gedeelte van Manila (abaca), sisal, henequen, of andere harde vezels	20% ad val.
1012	Poolweefsels, waarvan de pool de oppervlakte hetzij geheel hetzij gedeeltelijk bedekt, en die naar de waarde geheel of voor een overwegend gedeelte vervaardigd zijn van plantaardige vezels, met uitzondering van katoen, en alle artikelen, afgewerkt of onafgewerkt, gemaakt of gesneden van zulke poolweefsels, indien de pool gedeeltelijk gesneden en gedeeltelijk getrokken is	30% ad val.
1407 (a)	Bristol karton, zooals vervaardigd met een Fourdrinier- of een meer-cylinder machine, wegend 8 Am. ponden of meer per riem en van een waarde van niet meer dan 15 dollarcent per Am. pond	2 dollarcent per Am. pond en 10% ad val.
1409	Strookarton en stroopapier, pakpapier inbegrepen, indien minder dan twaalf duizendste, maar niet minder dan acht duizendste inch dik, n.a.g.	15% ad val.
1504 (b) (5)	Hoeden als bedoeld in paragraaf 1504, indien bekend onder den naam "oogsthoeiden", en van een waarde van minder dan 3 dollar per dozijn	12½% ad val.
1552	Tabakspijpen met koppen van klei (meerschuur niet inbegrepen), en met mondstukken uit ander materiaal dan klei vervaardigd	2½ dollarcent per stuk en 30% ad val.
1602	Aloë, in natuurlijke-, niet samengestelden- en ruwen vorm, en waarvan de waarde of kwaliteit niet is verhoogd door verdrading, vermaling, verbrokkeling, persing, of eenig ander proces of behandeling, welke dan ook, buiten hetgeen vereischt is voor eene goede verpakking en de voorkoming van bederf of achteruitgang in afwachting van de bewerking, en geen alcohol bevattende	vrij
1609	Gambier en extracten daarvan, geen alcohol bevattende	vrij
1619	Kina- en andere basten waaruit kine kan worden getrokken	vrij
1681	Mollezellen, onbereid	vrij
1684	Kapok, niet op eenige wijze bereid of bewerkt	vrij
1684	Sisal, niet op eenige wijze bereid of bewerkt	vrij

Schedule II—Continued.

SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Articles	Rate of Duty
1685	Ammonium sulphate of a grade used chiefly for fertilizers, or chiefly as an ingredient in the manufacture of fertilizers	Free
1686	Copal	Free
1697	Crude gutta percha and gutta siak	Free
1731	Distilled or essential caraway oil, not containing alcohol	Free
1731	Distilled or essential citronella oil, not containing alcohol	Free
1732	Expressed or extracted palm oil	Free
<i>Note:</i> No federal internal tax in excess of the rate of 3¢ per lb. now provided for in sec. 602½ of the Revenue Act of 1934 shall be imposed in the United States in respect of palm oil the product of the Netherlands or any of its overseas territories.		
1748	Quinine sulphate and all alkaloids and salts of alkaloids derived from cinchona bark	Free
1753	Sago, crude, and sago flour	Free
1765	Reptile skins, raw	Free
1768 (1)	Cassia, cassia buds, and cassia vera; if unground	Free
1768 (1)	Mace, if unground	Free
1768 (1)	Nutmegs, if unground	Free
1768 (1)	Black or white pepper, if unground	Free
1768 (2)	Caraway seeds	Free
1781	Tapioca, tapioca flour, and cassava	Free
1806	Sticks of rattan in the rough, or not further advanced than cut into lengths suitable for sticks for umbrellas, parasols, sunshades, whips, fishing rods, or walking canes	Free

LIJST II—Voortgezet

Tariefwet van de
Vereenigde Sta-
ten van 1930
Paragraaf

Artikelen

Rechten

1685	Ammonium sulfaat van een kwaliteit hoofdzakelijk gebruikt voor meststoffen, of hoofdzakelijk als bestanddeel voor de fabricage van meststoffen	vrij
1686	Gomcopal	vrij
1697	Ruwe gutta percha en gutta siak	vrij
1731	Gedistilleerde of vluchtige karwijolie, geen alcohol bevattende	vrij
1731	Gedistilleerde of vluchtige citronella olie, geen alcohol bevattende	vrij
1732	Uitgeperste of geëxtraheerde palmolie	vrij
	<i>Aanteekening.</i> Geen federale binnenlandsche belasting zal in de Vereenigde Staten worden geheven met betrekking tot palmolie, herkomstig van Nederland en zijn overzeesche gebiedsdeelen, hooger dan de thans, krachtens Sec. 602½ van de Revenue Act 1934, geheven belasting van 3 dollarcent per Am. pond	
1748	Kinine sulfaat en alle alkaloiden en zouten van alkaloiden, verkregen uit de kina-bast	vrij
1753	Sago, onbewerkt, en sagomeel	vrij
1765	Reptielhuiden, onbewerkt	vrij
1768(1)	Cassia, cassiaknoppen en cassia vera, voorzoover ongemalen	vrij
1768(1)	Foelie, voorzoover ongemalen	vrij
1768(1)	Notemuskaat, voorzoover ongemalen	vrij
1768(1)	Zwarte of witte peper, voorzoover ongemalen	vrij
1768(2)	Karwijzaad	vrij
1781	Tapioca, tapiocameel en cassave	vrij
1806	Ruwe rottan stokken, of rottan niet verder bewerkt dan gesneden op maten voor stokken, geschikt voor regenschermen, parasollen, zonneschermen, zweepen, vischhengels of wandelstokken	vrij

Schedule III.

SCHEDULE III

1. Wheat flour:

The Netherlands Government undertakes to purchase annually from mills in the United States of America a quantity of wheat flour equivalent to not less than five per centum of the annual total wheat flour consumption in the Netherlands, provided that the price of such wheat flour delivered in the Netherlands is competitive with the price of other foreign wheat flour of comparable grade and quality.

2. Milling wheat:

The Netherlands Government undertakes to purchase annually a quantity of milling wheat originating in the United States of America equivalent to not less than five per centum of the annual total consumption of foreign milling wheat in the Netherlands, provided that the price of the milling wheat originating in the United States of America is competitive with the world price for milling wheat of comparable grade and quality.

Note 1. Of the total annual quantities of either milling wheat or wheat flour originating in the United States of America which the Netherlands Government undertakes to purchase pursuant to the foregoing provisions, one-twelfth part thereof will be purchased each month unless purchases for one or more months are made in advance. If in any month the prices of milling wheat or wheat flour originating in the United States of America are not competitive and for this reason the monthly purchases are smaller than those provided for above, the Netherlands Government shall not be obligated to compensate for such deficiency by correspondingly increased purchases in later months.

Note 2. The Netherlands Government will give sympathetic consideration to any representations which the Government of the United States of America may make with respect to any matter pertaining to the application of the provisions of this Schedule

LIJST III

1. Tarwebloem.

De Nederlandsche Regeering verbindt zich jaarlijks van molens in de Vereenigde Staten van Amerika te koopen een hoeveelheid tarwebloem, overeenkomende met niet minder dan vijf percent van het totale jaarlijksche verbruik van tarwebloem in Nederland, mits de prijs van dergelijke tarwebloem, afgeleverd in Nederland, concurrerend is met den prijs van andere buitenlandsche tarwebloem van gelijksoortige hoedanigheid en kwaliteit.

2. Maaltarwe.

De Nederlandsche Regeering verbindt zich jaarlijks te koopen een hoeveelheid maaltarwe, van oorsprong uit de Vereenigde Staten van Amerika, overeenkomende met niet minder dan vijf percent van het totale jaarlijksche verbruik van buitenlandsche maaltarwe in Nederland, mits de prijs van de maaltarwe, van oorsprong uit de Vereenigde Staten van Amerika, concurrerend is met den wereldprijs voor maaltarwe van gelijksoortige hoedanigheid en kwaliteit.

Aanteekening 1. Van de totale jaarlijksche hoeveelheden maaltarwe of tarwebloem, van oorsprong uit de Vereenigde Staten van Amerika, tot welker aankoop de Nederlandsche Regeering zich overeenkomstig de hiervoor genoemde bepalingen verbindt, zal elke maand een twaalfde gedeelte worden aangekocht, tenzij voor een of meer maanden vooruit wordt gekocht. Indien in eenige maand de prijzen van maaltarwe of tarwebloem, van oorsprong uit de Vereenigde Staten van Amerika, niet concurrerend zijn en om deze reden de maandelijksche aankopen kleiner zijn dan de hierboven aangeduide, zal de Nederlandsche Regeering niet verplicht zijn een zoodanig tekort aan te vullen door overeenkomstig verhoogde aankopen in latere maanden.

Aanteekening 2. De Nederlandsche Regeering zal in welwillende overweging nemen de verzoeken, welke de Regeering van de Vereenigde Staten tot Haar mocht richten, met betrekking tot alle aangelegenheden betreffende de toepassing van de bepalingen van deze Lijst.

Schedule IV.

SCHEDULE IV

Section A Netherlands	Statistical Number	Articles	Minimum quantity to be admitted annually from the United States
	61	Horse meat, salted	1,000 metric tons
	231	Soybean cake	2,500 metric tons
	324	Portland cement	80 metric tons
	326	Nitrate, Chilean, including synthetic	4,508 metric tons of synthetic nitrate
	373	Wire nails and tacks	738 metric tons
	8373	Drawn wire, iron and steel	2,762 metric tons
	2391, 3391, 4391, 5391, ex 8391	Locks and parts	1,000 kilos
	397	Sheet zinc	69 metric tons
	447	"Peeled" and cleaned or polished rice	3,500 metric tons
	509	Matches	11,149 kilos—with the condition that entire quota is used for paper matches packed not more than 25 matches to each paper folder and obviously for advertising purposes
	667, 668, 669, 670, 671, 672, 674	Upper leather, lining leather and chamois leather	148 metric tons—granted for the statistical numbers 667, 668, 669, 670, 671, 672, 674, without fixing a special quota for each statistical number. It is understood, however, that the greatest part of this quota will be used for the imports of chrome tanned upper leather, goat and kid. No increase in quota will take place for the imports of upper leather, cattle side and upper leather, patent
	675	Footwear, chiefly of leather	10,000 pairs
	Ex 3675, Ex 5675	Footwear, other	7,700 pairs, rubber
	4713, 5713, Ex 7726, Ex 8726	Fabrics manufactured of artificial silk	1,410 kilos
	4714, 5714, Ex 7726, Ex 8726	Fabrics manufactured of artificial silk mixed with other materials	170 kilos
	717, 4726	Fabrics manufactured of cotton, bleached	2,114 kilos
	718, 719, 720, Ex 5726	Fabrics manufactured of cotton, printed, dyed, woven figured	20,164 kilos
	723, 724, 725, 726, 2726	Fabrics manufactured of wool and mixtures	25,000 kilos
	741, 742, Ex 2742	Ribbons, tape, elastic bands, et cetera	7,500 kilos
	754, 2754	Men's outer clothing (without rubber)	4,500 kilos
	756, 2756	Ladies' outer clothing, including infants' wear (without rubber)	5,500 kilos

LIJST IV

Deel A Nederland	Statistiek Nummer	Artikelen	Minimum hoeveelheid jaarlijks toe te laten uit de Vereenigde Staten
	61	Paardevleesch, gezouten	1.000 ton
	231	Soyakoeken	2.500 ton
	324	Portland cement	80 ton
	326	Chilisalpeter, synthetische inbegrepen	4.508 ton synthetische sal- peter
	373	Draadnagels, spijkers en krammen	738 ton
	8373	Getrokken draad, ijzer en staal	2.762 ton
	2391, 3391, 4391, 5391, ex 8391	Sloten en onderdeelen daarvan	1.000 kg
	397	Bladzink	69 ton
	447	Gepelde rijst	3.500 ton
	509	Lucifers	11.149 kg—onder voor- waarde dat het geheele contingent wordt ge- bruikt voor papieren luci- fers, verpakt in vouwers van niet meer dan 25 lucifers, en kennelijk voor advertentie doeleinden
	667, 668, 669, 670, 671, 672, 674	Over-, voering- en zeemleder	148 ton toegestaan voor de statistische nummers 667, 668, 669, 670, 671, 672, 674, zonder een contin- gent voor elk afzonder- lijk statistiek nummer vast te stellen. Het is evenwel goed verstaan, dat het grootste deel van dit contingent zal worden gebruikt voor den invoer van Chroomgeloid gei- tenleder; geen vergroo- ting van contingent zal plaats vinden voor den invoer van Chroomge- loid overleder, Java- of rundbox en lakleder
	675	Schoeisel, voornamelijk van leder	10.000 paar
	Ex 3675, ex 5675	Schoeisel, ander	7.700 paar van rubber
	4713, 5713, ex 7726, ex 8726	Manufacturen van kunstzijde	1.410 kg
	4714, 5714, ex 7726, ex 8726	Manufacturen van kunstzijde en mengsels	170 kg
	717, 4726	Manufacturen van katoen, gebleekt	2.114 kg
	718, 719, 720, ex 5726	Manufacturen van katoen, bedrukt, geverfd, bontgeweven	20.164 kg
	723, 724, 725, 726, 2726	Manufacturen van wol en mengsels	25.000 kg
	741, 742, ex 2742	Lint, band, elastiekbanden, enz.	7.500 kg
	754, 2754	Heeren bovenkleeding (zonder rubber)	4.500 kg
	756, 2756	Dames bovenkleeding met inbegrip van bovenkleeding voor kleine kin- deren (zonder rubber)	5.500 kg

Schedule IV—Continued.

SCHEDULE IV—Continued

Section A Netherlands			Minimum quantity to be admitted annually from the United States
Statistical Number	Articles		
757	Stockings and socks		30,000 dozen pairs
2757, 3757	Knitted wear		36,036 kilos
758	Under clothing		2,693 kilos
3764	Shirts		5,400 kilos
813, 814	Printing and writing paper, and printing and writing cardboard paper		168,600 kilos
815, 817, 818, 2818, 3818, 819, 2819, 820, 826	"Other paper"		98,183 kilos
825, 827, 828, 2828, 829, 2829, 830, 831, 832, 833	Paper products		197,300 kilos
<hr/>			
Section B		Netherlands Indies	
359	Fertilizers, unspecified		20% of average total imports during 1931-1932

LIJST IV—Voortgezet

Sectie A Nederland Statistiek Nummer	Artikelen	Minimum hoeveelheid jaarlijks toe te laten uit de Vereenigde Staten
757	Kousen en sokken	30.000 dozijn paar
2757, 3757	Tricotages	36.036 kg
758	Onderkleeding	2.693 kg
3764	Overhemden	5.400 kg
813, 814	Druk- en schrijfpapier; idem karton	168.600 kg
815, 817, 818, 2818, 3818, C19, 2819, 820, 826	"Ander papier"	98.183 kg
825, 827, 828, 2828, 829, 2829, 830, 831, 832, 833	Papierwaren	197.300 kg
Sectie B Nederlandsch-Indië		
359	Meststoffen n.a.g	20% van den gemid- delden totalen invoer in de jaren 1931- 1932

Modifications, etc.

WHEREAS such modifications of existing duties and other import restrictions and such continuance of existing customs and excise treatment as are set forth and provided for in the said Agreement and the four Schedules thereunto annexed are required and appropriate to carry out the said Agreement;

Ante, p. 1524.

WHEREAS it is provided in Article XVII of the said Agreement that it shall be proclaimed by the President of the United States of America and shall be ratified by Her Majesty the Queen of the Netherlands;

WHEREAS it is further provided in the said Article XVII that pending ratification of the Agreement by Her Majesty the Queen of the Netherlands, the provisions of Articles I to XVI, inclusive, shall be applied, reciprocally, by the United States of America and the Kingdom of the Netherlands, on and after February 1, 1936, and that the entire Agreement shall come into force one month after the day on which the Netherlands Government has communicated the ratification by Her Majesty the Queen of the Netherlands to the Government of the United States of America and the Government of the United States of America has communicated the proclamation of the President of the United States of America to the Netherlands Government.

Proclamation

48 Stat. 943
19 U. S. C. § 1351

Now, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, acting under the authority conferred by the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, do hereby proclaim the said Agreement, including the said Schedules, to the end that the provisions of Articles I to XVI, inclusive, thereof, may be observed and fulfilled with good faith by the United States of America and the citizens thereof on and after February 1, 1936, pending ratification of the Agreement by Her Majesty the Queen of the Netherlands and that the entire Agreement and every part thereof may be so observed and fulfilled one month after the day of the communication of such ratification to the Government of the United States of America and of this my Proclamation to the Netherlands Government, as provided for in Article XVII of the Agreement.

Ante, p. 1524

48 Stat. 943

Pursuant to the proviso in Section 350 (a) (2) of the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, I shall from time to time notify the Secretary of the Treasury of the countries with respect to which application of the duties herein proclaimed is to be suspended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-eighth day of December, in the year of our Lord one thousand nine hundred and [SEAL] thirty-five, and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D. ROOSEVELT

By the President:

WILBUR J. CARR

Acting Secretary of State.

Supplementary Proclamation.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

WHEREAS, by my proclamation of December 28, 1935, I did make public the Trade Agreement, including four annexed Schedules, which, pursuant to Section 350 (a) of the Tariff Act of 1930 of the Congress of the United States of America, as amended by the Act of June 12, 1934, entitled "AN ACT To Amend the Tariff Act of 1930", I entered into, on December 20, 1935, with Her Majesty the Queen of the Netherlands, in order that the provisions of Articles I to XVI, inclusive, thereof, should be observed and fulfilled with good faith by the United States of America and the citizens thereof on and after February 1, 1936, pending ratification of the Agreement by Her Majesty the Queen of the Netherlands, as is provided in Article XVII of the Agreement, and that the entire Agreement and every part thereof should be so observed and fulfilled one month after the day of the communication of the ratification by Her Majesty the Queen of the Netherlands to the Government of the United States of America and of the proclamation by the President of the United States of America to the Netherlands Government, as is also provided in Article XVII of the said Agreement;

Supplementary
proclamation
Ante, p. 1526.

48 Stat 943
19 U S C § 1351.

Ante, p. 1524.

AND WHEREAS the intercommunication of the proclamation of the President of the United States of America and the ratification of Her Majesty the Queen of the Netherlands took place at Washington on April 8, 1937, as is evidenced by a Protocol signed on that day by the Secretary of State of the United States of America and the Envoy Extraordinary and Minister Plenipotentiary of the Netherlands at Washington;

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, supplementing my said proclamation of December 28, 1935, do hereby proclaim that the entire Agreement will come into force on May 8, 1937; and I do hereby call upon the United States of America and all the citizens thereof to observe and fulfill the said Agreement and every part thereof with good faith on and from that date.

Proclaiming date
entire Agreement en-
ters into force

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this tenth day of April in the year
of our Lord one thousand nine hundred and thirty-seven,
[SEAL] and of the Independence of the United States of America
the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

Exchange of Notes. EXCHANGE OF NOTES BETWEEN THE SECRETARY OF STATE OF
THE UNITED STATES OF AMERICA AND THE NETHERLANDS
DIRECTOR OF TRADE AGREEMENTS .

*The Secretary of State (Hull) to the Netherlands Director of Trade
Agreements (Lamping)*

DEPARTMENT OF STATE,
Washington, December 20, 1935.

SIR:

I have the honor to make the following statement of my understanding of the agreement reached through recent conversations held at Washington by representatives of the Government of the United States and the Netherlands Government with reference to certain special duties.

These conversations have disclosed a mutual understanding between the two Governments, which is that neither will impose on products of territories of the other Government any antidumping duty or new or additional duty to countervail the payment or bestowal of a bounty or grant, without first giving the other Government, through an informal notice, an opportunity to present representations with respect to the proposed duty. No decision to impose such duty will be made within thirty days after the date of the informal notice, unless an earlier decision is required by law. Any representations submitted by the other Government will be carefully considered by the Government contemplating the imposition of the duty.

Accept, Sir, the assurances of my highest consideration.

CORDELL HULL
*Secretary of State
of the United States of America.*

The Honorable ARNOLD THEODOOR LAMPING,
*Director of Trade Agreements,
Chief of the Netherlands Delegation,
Washington.*

*The Netherlands Director of Trade Agreements (Lamping) to the Secretary
of State (Hull)*

20 DECEMBER 1935.

EXCELLENTIE,

Ik heb de eer de ontvangst te erkennen van Uwer Excellentie's nota van heden, bevattende een uiteenzetting van Uwer Excellentie's opvatting met betrekking tot de overeenstemming, ten opzichte van zekere bijzondere rechten, bereikt gedurende onlangs te Washington

gehouden besprekingen tusschen de vertegenwoordigers van de Nederlandsche Regeering en die van de Regeering van de Vereenigde Staten van Amerika.

Gedurende deze besprekingen is tot uiting gekomen een gelijke opvatting tusschen beide Regeeringen, dat, met name, geen van beide Regeeringen op producten van het gebied der andere eenig anti-dumping recht zal leggen, noch eenig nieuw of bijkomend recht ter compensatie van de betaling of toekenning van een premie of uitkeering, zonder eerst de andere Regeering, na Haar daarvan langs informeele weg kennis te hebben gegeven, de gelegenheid te hebben geboden tot het doen van voorstellen met betrekking tot het voorgenomen recht. Geen beslissing, ten aanzien van het opleggen van een zoodanig recht, zal worden genomen binnen dertig dagen na den datum van de hiervoor bedoelde informeele kennisgeving, tenzij de wet een vroegere beslissing vereischt. Elk, door de andere Regeering ingediend, verzoeg zal door de Regeering, welke voornemens is tot de oplegging van bedoeld recht over te gaan, zorgvuldig in overweging worden genomen.

Ik heb de eer Uwer Excellentie de aldus bereikte overeenstemming te bevestigen.

Ik neem deze gelegenheid te baat U, Mijnheer de Staatssecretaris, de hernieuwde verzekering mijner hoogste achting aan te bieden.

LAMPING

Directeur van de Handelsaccorden.

WASHINGTON, D. C.

Zijner Excellentie den Heere CORDELL HULL,
Secretaris van Staat
van de Vereenigde Staten van Amerika,
Washington, D. C.

[Translation]

20 DECEMBER 1935.

EXCELLENCY:

I have the honor to acknowledge the receipt of your Excellency's note of today's date containing a statement of Your Excellency's understanding of the agreement reached through recent conversations held at Washington by representatives of the Government of the United States and the Netherlands Government with reference to certain special duties.

These conversations have disclosed a mutual understanding between the two Governments, which is that neither will impose on products of territories of the other Government any antidumping duty or new or additional duty to countervail the payment or bestowal of a bounty or grant, without first giving the other Government, through an informal notice, an opportunity to present representations with respect to the proposed duty. No decision to impose such duty will be made within thirty days after the date of the informal notice, unless an

earlier decision is required by law. Any representations submitted by the other Government will be carefully considered by the Government contemplating the imposition of the duty.

I beg to confirm to Your Excellency the agreement thus reached.

I avail myself of the opportunity to renew to Your Excellency the assurances of my highest consideration.

LAMPING

Director of Trade Agreements.

WASHINGTON, D. C.

His Excellency Mr. CORDELL HULL,

Secretary of State

of the United States of America,

Washington, D. C.

PROTOCOL

Protocol.

The undersigned Cordell Hull, Secretary of State of the United States of America, and Jonkheer H. M. van Haersma de With, Envoy Extraordinary and Minister Plenipotentiary of the Netherlands at Washington, having met this day for the purpose of making in behalf of their respective Governments the communication of instruments provided for in Article XVII of the Trade Agreement between the President of the United States of America and Her Majesty the Queen of the Netherlands, signed at Washington on December 20, 1935, in order to bring the said Agreement into force in its entirety; and the instruments being produced and found in due form, the Secretary of State handed to the Minister of the Netherlands the proclamation of the said Agreement by the President of the United States of America, and the Minister of the Netherlands handed to the Secretary of State the ratification of the said Agreement by Her Majesty the Queen of the Netherlands.

Ante, p. 1524.

The intercommunication contemplated in the second paragraph of Article XVII of the Agreement having thus been consummated, the entire Agreement will, in accordance with its terms, come into force one month after this day, namely, on May 8, 1937.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries have signed this Protocol and have affixed their seals thereto.

Signatures.

DONE at Washington this eighth day of April, one thousand nine hundred and thirty-seven.

CORDELL HULL [SEAL]

*Secretary of State
of the United States of America.*

H. M. VAN HAERSMA DE WITH [SEAL]

*Envoy Extraordinary and Minister Plenipotentiary
of the Netherlands.*

February 19, 1937
[E. A. S. No. 101]

Agreement between the United States of America and El Salvador respecting reciprocal trade. Signed at San Salvador, February 19, 1937; proclaimed by the President of El Salvador, April 30, 1937; proclaimed by the President of the United States, May 1, 1937; effective, May 31, 1937.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Reciprocal trade
agreement with El
Salvador
48 Stat. 943
19 U. S. C. § 1351.

WHEREAS it is provided in the Tariff Act of 1930 of the Congress of the United States of America, as amended by the Act of June 12, 1934, entitled "AN ACT To amend the Tariff Act of 1930" (48 Stat. 943), as follows:

Statutory authori-
zation

"Sec. 350. (a) For the purpose of expanding foreign markets for the products of the United States (as a means of assisting in the present emergency in restoring the American standard of living, in overcoming domestic unemployment and the present economic depression, in increasing the purchasing power of the American public, and in establishing and maintaining a better relationship among various branches of American agriculture, industry, mining, and commerce) by regulating the admission of foreign goods into the United States in accordance with the characteristics and needs of various branches of American production so that foreign markets will be made available to those branches of American production which require and are capable of developing such outlets by affording corresponding market opportunities for foreign products in the United States, the President, whenever he finds as a fact that any existing duties or other import restrictions of the United States or any foreign country are unduly burdening and restricting the foreign trade of the United States and that the purpose above declared will be promoted by the means hereinafter specified, is authorized from time to time—

"(1) To enter into foreign trade agreements with foreign governments or instrumentalities thereof; and

"(2) To proclaim such modifications of existing duties and other import restrictions, or such additional import restrictions, or such continuance, and for such minimum periods, of existing customs or excise treatment of any article covered by foreign trade agreements, as are required or appropriate to carry out any foreign trade agreement that the President has entered into hereunder. No proclamation shall be made increasing or decreasing by more than 50 per centum any existing rate of duty or transferring any article between the dutiable and free lists. The proclaimed duties and other import restrictions shall apply to articles the growth, produce, or manufacture of all foreign countries, whether imported directly, or indirectly: *Provided*, That the President may suspend the application to articles the growth, produce, or manufacture of any country because of its discriminatory treatment of American commerce or because of other acts or policies which in his opinion tend to defeat the purposes set forth in this section; and the proclaimed duties and other import

restrictions shall be in effect from and after such time as is specified in the proclamation. The President may at any time terminate any such proclamation in whole or in part."

WHEREAS I, Franklin D. Roosevelt, President of the United States of America, have found as a fact that certain existing duties and other import restrictions of the United States of America and the Republic of El Salvador are unduly burdening and restricting the foreign trade of the United States of America and that the purpose declared in the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, will be promoted by a foreign trade agreement between the United States of America and the Republic of El Salvador;

Promotion of foreign trade.

48 Stat. 943.
19 U. S. C. §1351.

Notice given.

WHEREAS reasonable public notice of the intention to negotiate such foreign trade agreement was given and the views presented by persons interested in the negotiation of such agreement were received and considered;

Trade agreement entered into.

WHEREAS, after seeking and obtaining information and advice with respect thereto from the United States Tariff Commission, the Departments of State, Agriculture, and Commerce, and from other sources, I entered into a foreign Trade Agreement on February 19, 1937, through my duly empowered Plenipotentiary, with the President of the Republic of El Salvador, through his duly empowered Plenipotentiary, which Agreement, including two Schedules annexed thereto, in the English and Spanish languages, is in words and figures as follows:

COMMERCIAL AGREEMENT CELEBRATED BETWEEN THE UNITED STATES OF AMERICA AND EL SALVADOR 1937.

The President of the United States of America and the President of the Republic of El Salvador, desiring to strengthen the traditional bonds of friendship between the two countries by maintaining the principle of equality of treatment as the basis of commercial relations and by granting mutual and reciprocal advantages for the promotion of trade, have decided to conclude a trade agreement and for that purpose have appointed their Plenipotentiaries as follows:

Purposes declared.

The President of the United States of America, Dr. Frank P. Corrigan, Envoy Extraordinary and Minister Plenipotentiary to the Republic of El Salvador;

Plenipotentiaries.

The President of the Republic of El Salvador, Dr. Miguel Angel Araujo, Secretary of State for Foreign Affairs.

Who, after having exchanged their full powers, found to be in good and due form, have agreed upon the following Articles:

ARTICLE I

Articles the growth, produce or manufacture of the United States of America, enumerated and described in Schedule I annexed to this Agreement and made a part thereof, shall, on their importation into the Republic of El Salvador, be exempt from ordinary customs duties in excess of those set forth in the said Schedule. The said articles shall also be exempt from all other duties, taxes, fees, charges or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under laws of the Republic of El Salvador in force on the day of the signature of this Agreement.

Enumerated imports into El Salvador.
Post, p 1571.

No excess duties, etc.

ARTICLE II

Specified imports
from El Salvador
Post, p. 1572

Articles the growth, produce or manufacture of the Republic of El Salvador, enumerated and described in Schedule II annexed to this Agreement and made a part thereof, shall, on their importation into the United States of America, be exempt from ordinary customs duties in excess of those set forth in the said Schedule. The said articles shall also be exempt from all other duties, taxes, fees, charges or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under the laws of the United States of America in force on the day of the signature of this Agreement.

48 Stat 670, 49 Stat
1539.
7 U S C, Supp II,
§§ 613a, 608a-1.

As long as there remain operative the quota provisions of the Act entitled "An Act To include sugar beets and sugarcane as basic agricultural commodities under the Agricultural Adjustment Act, and for other purposes", approved by the President of the United States of America on May 9, 1934, as modified and extended by Public Resolution No. 109, approved June 19, 1936, or the quota provisions of any similar Act which also provides for not charging to the quota of any country sugar with respect to which a drawback of duty is allowed for such country, any sugar imported into the United States of America from the Republic of El Salvador with respect to which a drawback of duty is allowed, under the provisions of Section 313 of the Tariff Act of 1930, shall not be charged against the quota established by the Secretary of Agriculture of the United States of America for the Republic of El Salvador.

46 Stat 693.
19 U S C § 1313.

ARTICLE III

Notes in schedules
considered part of
Agreement
Post, pp. 1571, 1572

The United States of America and the Republic of El Salvador agree that the notes included in Schedule I and II are hereby given force and effect as integral parts of this Agreement.

ARTICLE IV

Internal tax ex-
emption.

Articles the growth, produce or manufacture of the United States of America or the Republic of El Salvador, shall, after importation into the other country, be exempt from all internal taxes, fees, charges or exactions other or higher than those payable on like articles of national origin or any other foreign origin.

ARTICLE V

Ad valorem duties
Determination, etc.,
of rates
Post, pp. 1571, 1572

In respect of articles the growth, produce or manufacture of the United States of America or the Republic of El Salvador, enumerated and described in Schedules I and II, respectively, imported into the other country, on which ad valorem rates of duty, or duties based upon or regulated in any manner by value, are or may be assessed, it is understood and agreed that the bases and methods of determining dutiable value and of converting currencies shall be no less favorable to importers than the bases and methods prescribed under laws and regulations of the Republic of El Salvador and the United States of America, respectively, in force on the day of the signature of this Agreement.

ARTICLE VI

No quantitative
regulation.

1. The United States of America will not impose any prohibition, import or customs quotas, import licenses or any other form of quantitative regulation, whether or not operated in connection with any agency of centralized control, on the importation or sale of any article the growth, produce or manufacture of the Republic of El

Salvador, enumerated and described in Schedule II; nor will the Republic of El Salvador impose any prohibition, import or customs quotas, import licenses or any other form of quantitative regulation, whether or not operated in connection with any agency of centralized control, on the importation or sale of any article the growth, produce or manufacture of the United States of America, enumerated and described in Schedule I.

Post, p. 1572.

2. The foregoing provision shall not apply to:

(a) Prohibitions or restrictions (1) imposed on moral or humanitarian grounds; (2) designed to protect human, animal or plant life; (3) relating to prison-made goods; or (4) relating to the enforcement of police or revenue laws; or to

Post, p. 1571.

Exceptions.

(b) Quantitative restrictions in whatever form, imposed by the United States of America or the Republic of El Salvador on the importation or sale of any article the growth, produce or manufacture of the other country, in conjunction with governmental measures operating to regulate or control the production, market supply or prices of like domestic articles, or tending to increase the labor costs of production of such articles. Whenever the Government of either country proposes to establish or change any restriction authorized by this subparagraph, it shall give notice thereof in writing to the other Government and shall afford such other Government an opportunity within thirty days after receipt of such notice to consult with it in respect of the proposed action; and if an agreement with respect thereto is not reached within thirty days following receipt of the aforesaid notice, the Government which proposes to take such action shall be free to do so at any time thereafter, and the other Government shall be free within fifteen days after such action is taken to terminate this Agreement in its entirety on thirty days' written notice.

Notice of proposed restriction.

3. It is understood that the provisions of this Article do not affect the application of measures directed against misbranding, adulteration and other fraudulent practices, such as are provided for in the pure food and drug laws of the United States of America, or the application of measures directed against unfair practices in import trade, such as are provided for in Section 337 of the United States Tariff Act of 1930.

U S pure food and drug laws not affected.

46 Stat 703
19 U. S. C. § 1337.

ARTICLE VII

1. If the Government of the United States of America or the Republic of El Salvador establishes or maintains any form of quantitative restriction or control of the importation or sale of any article in which the other country has an interest, or imposes a lower import duty or charge on the importation or sale of a specified quantity of any such article than the duty or charge imposed on importations in excess of such quantity, the Government taking such action will:

Action where a lower rate is imposed on portion of imports, etc.

(a) Give public notice of the total quantity, or any change therein, of any such article permitted to be imported or sold or permitted to be imported or sold at such lower duty or charge, during a specified period;

(b) Allot to the other country for such specified period a share of such total quantity as originally established or subsequently changed in any manner equivalent to the proportion of the total importation of such article which such other country supplied during a previous representative period, unless it is mutually agreed to dispense with such allotment; and

(c) Give public notice of the allotments of such quantity among the several exporting countries, and at all times upon request advise the Government of the other country of the quantity of any such article the growth, produce or manufacture of each exporting country which

has been imported or sold or for which licenses or permits for importation or sale have been granted.

Import licenses, etc.

2. Neither the United States of America nor the Republic of El Salvador shall regulate the total quantity of importations into its territory or sales therein of any article in which the other country has an interest, by import licenses or permits issued to individuals or organizations, unless the total quantity of such article permitted to be imported or sold, during a quota period of not less than three months, shall have been established, and unless the regulations covering the issuance of such licenses or permits shall have been made public before such regulations are put into force.

ARTICLE VIII

Treatment of Government monopolies

In the event that the Government of the United States of America or the Government of the Republic of El Salvador establishes or maintains a monopoly for the importation, production or sale of a particular commodity or grants exclusive privileges, formally or in effect, to one or more agencies to import, produce or sell a particular commodity, the Government of the country establishing or maintaining such monopoly, or granting such monopoly privileges, agrees that in respect of the foreign purchases of such monopoly or agency the commerce of the other country shall receive fair and equitable treatment. To this end it is agreed that in making its foreign purchases of any product such monopoly or agency will be influenced solely by those considerations, such as price, quality, marketability, and terms of sale, which would ordinarily be taken into account by a private commercial enterprise interested solely in purchasing such product on the most favorable terms.

ARTICLE IX

Control of foreign exchange

The tariff advantages and other benefits provided for in this Agreement are granted by the United States of America and the Republic of El Salvador to each other subject to the condition that if the Government of either country shall establish or maintain, directly or indirectly, any form of control of foreign exchange, it shall administer such control so as to insure that the nationals and commerce of the other country will be granted a fair and equitable share in the allotment of exchange.

With respect to the exchange made available for commercial transactions, it is agreed that the Government of each country shall be guided in the administration of any form of control of foreign exchange by the principle that, as nearly as may be determined, the share of the total available exchange which is allotted to the other country shall not be less than the share employed in a previous representative period prior to the establishment of any exchange control for the settlement of commercial obligations to the nationals of such other country.

Mutual consideration of representations with respect to application of Article

The Government of each country shall give sympathetic consideration to any representations which the other Government may make in respect of the application of the provisions of this Article, and if, within thirty days after the receipt of such representations, a satisfactory adjustment has not been made or an agreement has not been reached with respect to such representations, the Government making them may, within fifteen days after the expiration of the aforesaid period of thirty days, terminate this Article or this Agreement in its entirety on thirty days' written notice.

ARTICLE X

With respect to customs duties or charges of any kind imposed on or in connection with importation or exportation, and with respect to the method of levying such duties or charges, and with respect to all rules and formalities in connection with importation or exportation, and with respect to all laws or regulations affecting the sale or use of imported goods within the country, any advantage, favor, privilege or immunity which has been or may hereafter be granted by the United States of America or by the Republic of El Salvador to any article originating in or destined for any third country, shall be accorded immediately and unconditionally to the like article originating in or destined for the Republic of El Salvador or the United States of America, respectively.

Extension of advantages, etc., granted another country.

ARTICLE XI

Laws, regulations of administrative authorities and decisions of administrative or judicial authorities of the United States of America or the Republic of El Salvador, respectively, pertaining to the classification of articles for customs purposes or to rates of duty shall be published promptly in such a manner as to enable traders to become acquainted with them. Such laws, regulations and decisions shall be applied uniformly at all ports of the respective country, except as otherwise specifically provided in statutes of the United States of America relating to articles imported into Puerto Rico.

Publication of laws, regulations, and decisions.

No administrative ruling by the United States of America or the Republic of El Salvador effecting advances in rates of duties or in charges applicable under an established and uniform practice to imports originating in the territory of the other country, or imposing any new requirement with respect to such importations, shall be effective retroactively or with respect to articles either entered for or withdrawn for consumption prior to the expiration of thirty days after the date of publication of notice of such ruling in the usual official manner. The provisions of this paragraph do not apply to administrative orders imposing anti-dumping duties, or relating to regulations for the protection of human, animal, or plant life, or relating to public safety, or giving effect to judicial decisions.

Not retroactive, etc.

Anti-dumping duties.

ARTICLE XII

In the event that a wide variation occurs in the rate of exchange between the currencies of the United States of America and the Republic of El Salvador, the Government of either country, if it considers the variation so substantial as to prejudice the industries or commerce of the country, shall be free to propose negotiations for the modification of this Agreement or to terminate this Agreement in its entirety on thirty days' written notice.

Modification where exchange rate prejudicial.

ARTICLE XIII

Greater than nominal penalties will not be imposed in the United States of America or in the Republic of El Salvador upon importations of articles the growth, produce or manufacture of the other country because of errors in documentation obviously clerical in origin.

Documentation errors.

The Government of each country will accord sympathetic consideration to, and when requested will afford adequate opportunity for consultation regarding, such representations as the other Govern-

Mutual consideration respecting customs, etc.

ment may make with respect to the operation of customs regulations, quantitative restrictions or the administration thereof, the observance of customs formalities, and the application of sanitary laws and regulations for the protection of human, animal, or plant life.

ARTICLE XIV

Provisions not to apply to Philippine Islands, etc.

Except as otherwise provided in the second paragraph of this Article, the provisions of this Agreement relating to the treatment to be accorded by the United States of America or by the Republic of El Salvador, respectively, to the commerce of the other country, shall not apply to the Philippine Islands, the Virgin Islands, American Samoa, the Island of Guam, or to the Panama Canal Zone.

Preferential treatment extended to territories, etc., of each other
Ante, p. 1569.

Subject to the reservations set forth in the third, fourth, and fifth paragraphs of this Article, the provisions of Article X shall apply to articles the growth, produce or manufacture of any territory under the sovereignty or authority of the United States of America or of the Republic of El Salvador, imported from or exported to any territory under the sovereignty or authority of the other country. It is understood, however, that the provisions of this paragraph do not apply to the Panama Canal Zone.

Canal Zone excluded

Adjacent countries.

The advantages now accorded or which may hereafter be accorded by the United States of America or by the Republic of El Salvador to adjacent countries in order to facilitate frontier traffic, and advantages resulting from a customs union to which either the United States of America or the Republic of El Salvador may become a party, shall be excepted from the operation of this Agreement.

Exceptions.

The advantages now accorded or which may hereafter be accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another or to the Republic of Cuba shall be excepted from the operation of this Agreement. The provisions of this paragraph shall continue to apply in respect of any advantages now or hereafter accorded by the United States of America, its territories or possessions or the Panama Canal Zone to the Philippine Islands irrespective of any change in the political status of the Philippine Islands.

Philippine Islands.

Commerce of El Salvador with Costa Rica, etc.

The advantages now accorded or which may hereafter be accorded by the Republic of El Salvador to the commerce of Costa Rica, Guatemala, Honduras, Nicaragua or Panama, so long as any special treatment accorded to the commerce of those countries or any of them by the Republic of El Salvador is not accorded to any other country, shall be excepted from the operation of this Agreement.

Police and sanitary regulations.

Gold or silver exportation.

Traffic in arms, etc.

Unless otherwise specifically provided in this Agreement, the provisions thereof shall not be construed to apply to police or sanitary regulations; and nothing in this Agreement shall be construed to prevent the adoption of measures prohibiting or restricting the exportation of gold or silver, or to prevent the adoption of such measures as either Government may see fit with respect to the control of the export or sale for export of arms, munitions, or implements of war, and, in exceptional circumstances, all other military supplies.

ARTICLE XV

Adoption of measures impairing Agreement; adjustment.

In the event that the Government of the United States of America or the Government of El Salvador adopts any measure which, even though it does not conflict with the terms of this Agreement, is considered by the Government of the other country to have the effect of nullifying or impairing any object of the Agreement, the Government which has adopted any such measure shall consider such representations and proposals as the other Government may make with a view to effecting a mutually satisfactory adjustment of the matter.

ARTICLE XVI

Nothing in this Agreement shall be deemed to affect the rights and obligations arising out of the Treaty of Friendship, Commerce and Consular Rights signed at San Salvador on February 22, 1926.

Agreement not to
affect Treaty of
Friendship, etc.
46 Stat. 2817.

ARTICLE XVII

The present Agreement shall come into full force on the thirtieth day following proclamation thereof by the President of the United States of America and the President of the Republic of El Salvador, or should the proclamations be issued on different days, on the thirtieth day following the date of the later in time of such proclamations, and shall remain in force for the term of three years thereafter, unless terminated pursuant to the provisions of Article VI, Article IX, or Article XII. The Government of each country shall notify the Government of the other country of the date of its proclamation.

Effective date.

Unless at least six months before the expiration of the aforesaid term of three years the Government of either country shall have given to the other Government notice of intention to terminate this Agreement upon the expiration of the aforesaid term, the Agreement shall remain in force thereafter, subject to termination under the provisions of Article VI, Article IX, or Article XII, until six months from such time as the Government of either country shall have given notice to the other Government.

Duration.
Act, pp. 1568, 1569,
1569.

Termination.

In witness whereof the respective Plenipotentiaries have signed this Agreement and have affixed their seals hereto.

Signatures.

Done in quadruplicate: two copies in English and two in Spanish, all four authentic, at the City of San Salvador this nineteenth day of February, nineteen hundred and thirty-seven.

For the President of the United States of America:

[SEAL] FRANK P CORRIGAN

For the President of the Republic of El Salvador:

[SEAL] MIGUEL ANGEL ARAUJO

SCHEDULE I

Schedule I.

Salvadoran Tariff Item Number	Description of Articles	Maximum Rates of Duty in U. S. Dollars
NOTE:		
The provisions of this Schedule will be interpreted as though they had been included in the current Salvadoran Tariff Law by an amendment to that law.		
Abbreviations:		
G. K. = Gross Kilo		
M Bd. Ft. = 1000 Board Feet.		
211-1-03-003	Ham, except canned ham	100 G. K. 12. 00
Ex211-1-04-002	Pork, preserved or prepared in any form, with or without vegetables, in hermetically sealed containers	100 G. K. 29. 29
Ex211-4-03-001	Canned mackerel	100 G. K. 5. 00
211-4-03-004	Canned salmon	100 G. K. 5. 00
212-1-07-001	Wheat, in its natural state:	
	Until and including December 31, 1937	100 G. K. 5. 00
	After December 31, 1937	100 G. K. 5. 20
Ex212-3-01-001	Oatmeal, rolled oats and other oat food preparations	100 G. K. 4. 40
Ex212-5-01-001	Fresh fruits: apples, pears and grapes	100 G. K. 2. 50
Ex212-5-02-001	Dried and evaporated fruits: prunes and raisins	100 G. K. 5. 00

Schedule I—Continued

SCHEDULE I—Continued

Salvadoran Tariff Item Number	Description of Articles	Maximum Rates of Duty in U. S. Dollars	
Ex214-1-04-001	Canned vegetables: asparagus, peas,	100 G. K.	6. 00
Ex214-1-10-001	corn, tomatoes and tomato juice		
Ex214-1-09-001	Canned fruit: peaches, pears, and salad		
Ex214-1-03-001	or mixed fruits, in water or juice, with or without sugar, cooked or not		
214-2-03-001	Soda and other similar crackers, of wheat or not	100 G. K.	7. 50
331-1-02-001	Sawed wood in pieces, including	100 G. K.	8. 80
331-1-03-001	boards, planks and beams, planed or not, for any purpose		
441-1-01-001	Leather not specified, tanned by any process, dyed, dressed or polished, including calf skin	M Bd. Ft.	
441-1-02-001	Patent leather	100 G. K.	35. 00
441-1-03-001	Chamois, leather prepared like cham- ois, deer or elk skin	100 G. K.	35. 00
441-1-04-001	Tanned goatskin, morocco, and kid leather	100 G. K.	35. 00
471-1-03-002	Rubber tires, not specified	100 G. K.	10. 40
471-1-03-003	Rubber tires for automobiles (in- cluding passenger cars, trucks and busses) and airplanes	100 G. K.	10. 40
471-1-03-004	Rubber tires for motorcycles and bicycles		
471-1-03-005	Inner tubes of any kind and for any purpose	100 G. K. 10. 40	
471-1-04-001	Rubber hose and heavy rubber tub- ing, plain, reinforced with canvas or metal, with or without metallic accessories	100 G. K.	10. 40
494-1-04-004	Phonograph records	100 G. K.	18. 60

NOTE: Pharmaceutical specialties or patent medicines produced in the United States of America shall be accompanied, on their importation into the Republic of El Salvador, by a sanitary certificate, duly authenticated by a Salvadoran Consul, issued by a Chamber of Commerce or some similar agency, or by a Board of Health or some similar organization, of the state or city in the United States of America in which the manufacturer maintains his commercial domicile.

Schedule II.

SCHEDULE II

United States Tariff Act of 1930 Paragraph	Description of Articles	Maximum rates of duty Specific rate in United States dollars
10	Balsam, Peru, natural and uncompounded, and not containing alcohol	5% ad valorem
716	Honey	0.02 per pound
752	Guavas prepared or preserved, and not specially provided for	17½% ad valorem
752	Mango pastes and pulps, and guava pastes and pulp	28% ad valorem
1653	Cocoa or cacao beans, and shells thereof	Free
1654	Coffee, except coffee imported into Puerto Rico and upon which a duty is imposed under the authority of Section 319	Free
1738	Tortoise shell, not sawed, cut, flaked, polished, or otherwise manufactured, or advanced in value from the natural state	Free
1765	Deerskins, raw	Free
1765	Reptile skins, raw	Free

**CONVENIO COMERCIAL CELEBRADO ENTRE LOS ESTADOS UNIDOS
DE AMERICA Y EL SALVADOR 1937**

El Presidente de los Estados Unidos de América y el Presidente de la República de El Salvador, deseosos de estrechar los vínculos de amistad entre ambos países por medio del mantenimiento del principio de igualdad de trato como base de relaciones comerciales y por la concesión de ventajas mutuas y recíprocas para la promoción del comercio, han decidido concluir un Convenio Comercial y para ese fin han designado sus Plenipotenciarios, así:

El Presidente de los Estados Unidos de América, al Señor Doctor Don Frank Patrick Corrigan, su Enviado Extraordinario y Ministro Plenipotenciario cerca de la República de El Salvador;

El Presidente de la República de El Salvador, al Señor Doctor Don Miguel Angel Araujo, Secretario de Estado en el Despacho de Relaciones Exteriores,

Quienes, después de haber canjeado sus plenos poderes, y de encontrarlos en buena y debida forma, han convenido en los siguientes artículos:

ARTICULO I

Los artículos cosechados, producidos o fabricados en los Estados Unidos de América, enumerados y descritos en la Lista I, anexa a este Convenio, y del cual es parte integrante, serán eximidos, a su importación en la República de El Salvador, de los derechos aduaneros ordinarios que excedan a los especificados en dicha Lista. También a dichos artículos se les concederá exención de cualesquiera otros derechos, impuestos, contribuciones, cargas o exacciones sobre o relacionados con las importaciones, que sean en exceso de los que rigen en el día de la firma de este Convenio o de los que han de regir en lo sucesivo conforme a las leyes de la República de El Salvador vigentes en el día de la firma de este Convenio.

ARTICULO II

Los artículos cosechados, producidos o fabricados en la República de El Salvador, enumerados y descritos en la Lista II, anexa a este Convenio, y del cual es parte integrante, serán eximidos, a su importación en los Estados Unidos de América, de los derechos aduaneros ordinarios que excedan a los especificados en dicha Lista. También a dichos artículos se les concederá exención de cualesquiera otros derechos, impuestos, contribuciones, cargas o exacciones, sobre o relacionados con las importaciones, que sean en exceso de los que rigen en el día de la firma de este Convenio o de los que han de regir en lo sucesivo conforme a las leyes de los Estados Unidos de América, vigentes en el día de la firma de este Convenio.

Mientras estén vigentes las disposiciones sobre cuotas de la llamada "Ley para incluir remolachas y caña de azúcar como artículos agrícolas básicos, conforme la Ley sobre Arreglo Agrónomo, y para otros propósitos", aprobada por el Presidente de los Estados Unidos el 9 de mayo de 1934, modificada y prorrogada por la Resolución Pública No. 109, aprobada el 19 de junio de 1936, o las disposiciones sobre cuotas de cualquiera ley parecida que también establezcan que no se cargue a la cuota de cualquier país el azúcar que tenga descuento o devolución (drawback) en los derechos de dicho país, cualquier azúcar importado a los Estados Unidos de América de la República de El Salvador, con respecto al cual esté permitido un descuento o devolución (drawback) de derechos de aduana, bajo las disposiciones de la Sección 313 del Tariff Act of 1930, no será cargado en la cuota establecida por el Secretario de Agricultura de los Estados Unidos de América para la República de El Salvador.

ARTICULO III

Los Estados Unidos de América y la República de El Salvador convienen en dar a las notas incluidas en las Listas I y II, fuerza y efecto como partes integrantes de este Convenio.

ARTICULO IV

Los artículos cosechados, producidos o fabricados en los Estados Unidos de América o en la República de El Salvador estarán exentos, después de su importación en el otro país, de impuestos, contribuciones, cargas o exacciones internas, distintos o mayores que los pagaderos sobre análogos artículos de origen nacional o de cualquier otro origen extranjero.

ARTICLE V

Con respecto a los artículos cosechados, producidos o fabricados en los Estados Unidos de América o en la República de El Salvador enumerados y descritos en las Listas I y II, respectivamente, que se importen en el otro país, sobre los cuales se imponen o se impusieren derechos *ad valorem*, o derechos basados sobre el valor o determinados de cualquier manera por él, se entiende y se conviene que las bases y los métodos para determinar el monto imponible y para hacer la conversión de la moneda, no serán, de ninguna manera, menos favorables a los importadores que las bases y los métodos prescritos por las leyes y reglamentos de la República de El Salvador y de los Estados Unidos de América, respectivamente, vigentes en el día de la firma de este Convenio.

ARTICULO VI

1. Los Estados Unidos de América no impondrá prohibición alguna, ni cuotas de importación o aduaneras, permisos de importación o cualquiera otra forma de régimen cuantitativo, sea que éste opere o no en conexión con agencias de control centralizado, sobre la importación o venta de ningún artículo cosechado, producido o fabricado en la República de El Salvador, enumerado y descrito en la Lista II; ni la República de El Salvador impondrá clase alguna de prohibiciones, cuotas de importación o aduaneras, permisos de importación o cualquiera otra forma de régimen cuantitativo, sea que éste opere o no en conexión con agencias de control centralizado, sobre la importación o venta de ningún artículo cosechado, producido o fabricado en los Estados Unidos de América, enumerado y descrito en la Lista I.

2. La disposición precedente no se aplicará a:

a) Las prohibiciones o restricciones: 1) con finalidades morales o humanitarias; 2) destinadas a la protección de la vida humana, animal o vegetal; 3) relativas a efectos fabricados en prisiones; 4) relativas al cumplimiento de leyes policíacas o fiscales; ni a

b) Las restricciones cuantitativas en cualquier forma impuestas por los Estados Unidos de América o por la República de El Salvador sobre importación o venta de cualquier artículo cosechado, producido o fabricado en el otro país, en conexión con medidas gubernativas destinadas a regularizar o controlar la producción, el abastecimiento del mercado, o los precios de artículos nacionales análogos, o tendientes a aumentar el costo del trabajo de producción de dichos artículos. En caso de que el Gobierno de uno u otro de los dos países se proponga establecer o modificar cualquiera restricción autorizada por este inciso, dará aviso de ello al otro Gobierno, por escrito, y comunicará también, a éste, la oportunidad, dentro de treinta días después del recibo de dicho aviso, para consultar con él respecto a la acción propuesta; y si no se llega a un acuerdo con respecto a esa acción dentro

de treinta días después del recibo del aviso mencionado, el Gobierno que se proponga iniciar tal acción, tendrá la libertad de realizarla en cualquier momento, y el otro Gobierno podrá, dentro de los quince días de consumada la acción, quedar también en libertad de dar por terminado este Convenio, por completo, previo aviso, por escrito, con treinta días de anticipación.

3. Queda convenido que las disposiciones de este Artículo no afectan la aplicación de medidas dirigidas contra la falsificación de marcas, adulteración y otras prácticas fraudulentas, tales como las que se prescriben en las leyes de alimentos y drogas de los Estados Unidos de América, ni la aplicación de medidas dirigidas contra prácticas injustas en el comercio de importación, como las prescritas en la Sección 337 de la Ley Arancelaria de 1930 de los Estados Unidos de América.

ARTICULO VII

1. Si el Gobierno de los Estados Unidos de América o el de la República de El Salvador establece o mantiene cualquiera clase de restricción cuantitativa o de control sobre la importación o venta de cualquier artículo en el cual el otro país esté interesado, o impone una tasa o contribución más baja sobre la importación o venta de una cantidad determinada de ese artículo que la tarifa o contribución que esté establecida sobre importaciones que sean en exceso de tal cantidad, el Gobierno que así actúe deberá:

a) Dar aviso público de la cantidad total o de cualquier cambio en ella en cuanto a cualquiera de dichos artículos cuya venta o importación sea permitida o los cuales puedan ser importados o vendidos con tal rebaja de tarifa durante un determinado período;

b) Asignar al otro país durante ese determinado período una porción de aquella cantidad total, tal como ésta hubiera sido originalmente establecida o como se hubiera modificado posteriormente en algún modo, equivalente a la proporción de la importación total de ese artículo que ese otro país haya estado proveyendo durante un período representativo anterior, a menos que se convenga mutuamente dispensar tal asignación; y

c) Dar aviso público de la asignación hecha entre los diversos países exportadores, y en todo momento, informar al Gobierno del otro país, al requerirlo, acerca de la cantidad de cualquier artículo de los cosechados, producidos o fabricados que haya sido importada o vendida, correspondiente a cada país exportador, o por la cual se hubiera otorgado a éstos autorización o permiso de importar o vender.

2. Ni los Estados Unidos de América ni la República de El Salvador regulará la cantidad total de importaciones a su territorio o de ventas en el mismo por medio de autorizaciones o permisos de importación emitidos a favor de individuos u organizaciones, de ningún artículo en que el otro país esté interesado, a menos que la cantidad total de dicho artículo cuya importación o venta se permita durante un período de cuota no menor de tres meses, haya sido establecida y a menos que los reglamentos a que esté sujeta la emisión de tales autorizaciones o permisos hayan sido hechos públicos antes de entrar en vigencia.

ARTICULO VIII

En caso que el Gobierno de los Estados Unidos de América o el Gobierno de la República de El Salvador establezca o mantenga monopolio oficial para la importación, producción o venta de determinado artículo u otorgue derechos exclusivos, de hecho o de derecho, a una o más agencias para la importación, producción y venta de determinado artículo, el Gobierno del país que establezca o mantenga dicho monopolio o que otorgue tales privilegios de monopolio, se

compromete, con respecto a las compras extranjeras de tal monopolio o agencias, a tratar al comercio del otro país imparcial y equitativamente. A este fin se conviene en que, al efectuar en el extranjero sus compras de cualquier producto, tal monopolio o agencias se regirán solamente por tales consideraciones de precio, calidad, posibilidades y condiciones de venta, que tomaría en cuenta ordinariamente una empresa privada comercial interesada solamente en comprar tal producto bajo las condiciones más favorables.

ARTICULO IX

Los Estados Unidos de América y la República de El Salvador se conceden mutuamente las ventajas aduaneras y demás beneficios estipulados en este Convenio, sujetos a la condición de que si el Gobierno de uno u otro país estableciere o mantuviere directa o indirectamente cualquiera forma de control sobre el cambio extranjero, administrará tal control de manera que los nacionales y el comercio del otro país tengan la seguridad de que les corresponda una porción justa y equitativa en la asignación del cambio.

Respecto al cambio aprovechable para las transacciones comerciales, se acuerda que el Gobierno de uno u otro país se regirá en la administración de cualquier forma de control sobre el cambio por el principio de que, lo más aproximadamente posible, la porción del total de cambio disponible que se asigne al otro país no será menor que la porción empleada en un período representativo anterior al establecimiento de cualquier control de cambio, para la liquidación de obligaciones comerciales a favor de nacionales de tal otro país.

El Gobierno de cada país prestará consideración amistosa a cualesquiera representaciones que pueda hacer el otro Gobierno respecto a la aplicación de las disposiciones de este artículo; y si, dentro de treinta días a partir del recibo de tales representaciones, no se hubiere llegado a una solución satisfactoria ni a un acuerdo con respecto a ellas, el Gobierno que haya iniciado las mismas, puede, dentro de los quince días siguientes a la expiración del citado período de treinta días, poner fin a este Artículo o a este Convenio en su totalidad previo aviso por escrito con treinta días de anticipación.

ARTICULO X

En lo concerniente a derechos aduaneros o gravámenes de cualquier clase, impuestos sobre o en relación con importaciones o exportaciones, y con respecto al método de aplicación de tales derechos o gravámenes, lo mismo que en lo referente a todos los reglamentos y formalidades relacionados con la importación o exportación, y con respecto a todas las leyes o reglamentos que afecten la venta o uso dentro del país, de las mercaderías importadas, cualquier ventaja, favor, privilegio o inmunidad que haya sido o que en lo adelante pueda ser concedido por los Estados Unidos de América o por la República de El Salvador a cualquier artículo originario de, o destinado a un tercer país, deberá ser acordado inmediata e incondicionalmente al artículo análogo originario de o destinado a la República de El Salvador o a los Estados Unidos de América, respectivamente.

ARTICULO XI

Las leyes, los reglamentos de las autoridades administrativas y las decisiones de las autoridades administrativas o judiciales de los Estados Unidos de América o de la República de El Salvador, respectivamente, relativos a la clasificación de artículos para fines aduaneros o tasa de derechos, se publicarán en forma tal que los comerciantes puedan oportunamente enterarse de ellos. Tales leyes, reglamentos

y decisiones de aplicarán con uniformidad en todos los puertos del país respectivo, excepto las disposiciones específicas contenidas en estatutos de los Estados Unidos de América en cuanto se refieren a artículos importados a Puerto Rico.

Ningún decreto administrativo promulgado por los Estados Unidos de América o por la República de El Salvador que aumente la tasa de derechos o las cargas aplicables en conformidad con una práctica uniforme establecida sobre importaciones originarias del territorio del otro país, o que exija algún nuevo requisito para tales importaciones, tendrá efecto retroactivo; asimismo no deberá aplicarse tal disposición a artículos introducidos al país o retirados de la Aduana para el consumo con anterioridad a la expiración de un plazo de treinta días a contar de la fecha de publicación del aviso de tal decreto en la forma oficial acostumbrada. Las disposiciones de este párrafo no son aplicables a órdenes administrativas que establezcan derechos contra el "dumping", ni a las que se refieran a disposiciones para la protección de la vida humana, animal o vegetal, a la seguridad pública, o que den efecto a sentencias judiciales.

ARTICULO XII

En caso de gran fluctuación en el tipo de cambio entre la moneda de los Estados Unidos de América y la de la República de El Salvador, el Gobierno de cualquiera de las Partes Contratantes, si estimare dicha fluctuación de tal grado que perjudicare las industrias o el comercio de su país, estará en libertad para iniciar gestiones tendientes a modificar este Convenio, o para poner fin al mismo en su totalidad, previo aviso por escrito con treinta días de anticipación.

ARTICULO XIII

No se impondrán en los Estados Unidos de América ni en la República de El Salvador, sobre la importación de artículos cosechados, producidos, manufacturados o fabricados en el otro país, más que multas nominales con motivo de errores de documentación que patentemente se deban a la simple escritura, o sean *lapsus plumae* o *lapsus machinae*.

El Gobierno de cada una de las Partes Contratantes prestará oportuna consideración amistosa a las representaciones que el otro Gobierno pueda hacerle respecto al funcionamiento de las disposiciones aduaneras, restricciones cuantitativas o la administración de las mismas, cumplimiento de formalidades aduaneras y aplicación de leyes sanitarias y reglamentaciones para la protección de la vida humana, animal o vegetal.

ARTICULO XIV

Con excepción de lo estipulado en contrario en el segundo párrafo de este artículo, las disposiciones del presente Convenio referentes al tratamiento otorgado por los Estados Unidos de América o por la República de El Salvador, respectivamente, al comercio del otro país, no serán aplicables a las Islas Filipinas, las Islas Vírgenes, la Samoa americana, la Isla Guam ni a la Zona del Canal de Panamá.

Con sujeción a las reservas expresadas en los párrafos tercero, cuarto, y quinto de este Artículo, las estipulaciones del Artículo X serán aplicables a artículos cosechados, producidos o fabricados en cualquier territorio bajo la soberanía o jurisdicción de los Estados Unidos de América o de la República de El Salvador, importados de o exportados a cualquier territorio bajo la soberanía o jurisdicción del otro país. Es entendido, sin embargo, que las disposiciones de este párrafo no son aplicables a la Zona del Canal de Panamá.

Las ventajas que se extienden o que puedan ser extendidas por los Estados Unidos de América o por la República de El Salvador a países contiguos para facilitar el tráfico fronterizo, y las ventajas obtenidas de una unión aduanera de la cual los Estados Unidos de América o la República de El Salvador puedan formar partes, serán exceptuadas de este Convenio.

Las ventajas ahora extendidas o que puedan extenderse en lo sucesivo por los Estados Unidos de América, sus territorios y posesiones o la Zona del Canal de Panamá entre sí, o a la República de Cuba, se exceptuarán de este Convenio. Las disposiciones de este párrafo continuarán en vigor con respecto a cualquiera ventaja extendida o que pueda extenderse en lo sucesivo por los Estados Unidos de América, sus territorios o posesiones o la Zona del Canal de Panamá, a las Islas Filipinas, prescindiendo de cualquier cambio en el status político de las Islas Filipinas.

Se exceptuarán de los efectos de este Convenio las ventajas acordadas o que después acuerde la República de El Salvador al comercio de Costa Rica, Guatemala, Honduras, Nicaragua y Panamá mientras tales ventajas no se concedan a cualquier otro país.

Salvo específicas disposiciones en contrario de este Convenio, las estipulaciones del mismo no se interpretarán como aplicables a los reglamentos sanitarios y policíacos y nada de este Convenio se interpretará como contrario a la adopción de medidas que prohiban o restrinjan la exportación de oro o plata, o a la adopción de las medidas que cualquiera de los Gobiernos contratantes crea necesarias para controlar la exportación o venta de armas, municiones o implementos de guerra, y, en circunstancias excepcionales, de todo otro material necesario para la guerra.

ARTICULO XV

En caso de que el Gobierno de los Estados Unidos de América o el Gobierno de la República de El Salvador adopte medida alguna que, aun cuando no esté en conflicto con los términos de este Convenio, según la opinión del Gobierno del otro país, tenga el efecto de invalidar o perjudicar cualquiera finalidad de este Convenio, el Gobierno que haya adoptado tal medida considerará las representaciones y proposiciones que el otro Gobierno pueda hacer con el objeto de efectuar un arreglo mutuamente satisfactorio de ese asunto.

ARTICULO XVI

Nada de lo expresado en este Convenio se interpretará de tal manera que afecte los derechos y las obligaciones provenientes del Tratado de Amistad, Comercio y Prerrogativas Consulares entre los Estados Unidos de América y la República de El Salvador firmado en la ciudad de San Salvador a los veintidós días del mes de febrero de mil novecientos veintiséis.

ARTICULO XVII

El presente Convenio entrará en pleno vigor el trigésimo día después de la proclamación del mismo por el Presidente de los Estados Unidos de América y por el Presidente de la República de El Salvador o en el caso de que las proclamaciones fueran promulgadas en diferentes fechas, el trigésimo día después de la fecha de la última proclamación; y quedará en vigor durante los tres años subsiguientes, a menos que sea terminado antes de acuerdo con las disposiciones de los Artículos VI, IX o XII. El Gobierno de cada una de las Partes Contratantes notificará al Gobierno de la otra Parte la fecha de su proclamación.

A no ser que por lo menos seis meses antes de la terminación del precitado plazo de tres años el Gobierno de uno u otro de los dos países le haya notificado al otro su intención de terminar el Convenio al cumplirse el antedicho plazo, el Convenio quedará en vigor después de tal fecha, sujeto a ser terminado de acuerdo con las disposiciones de los Artículos VI, IX o XII hasta seis meses a partir de la fecha en que el Gobierno de uno u otro país haya notificado esa determinación al otro Gobierno.

En testimonio de lo cual los respectivos Plenipotenciarios firman y sellan este Convenio.

Hecho en cuadruplicado: dos ejemplares en español y dos en inglés, los cuatro auténticos, en la ciudad de San Salvador, a los diez y nueve días del mes de febrero de mil novecientos treinta y siete.

Por el Presidente de la República de los Estados Unidos de América:

[SEAL] FRANK P CORRIGAN

Por el Presidente de la República de El Salvador:

[SEAL] MIGUEL ANGEL ARAUJO

LISTA I

Nº de la partida de la Tarifa de Aforos de la República de El Salvador.	Descripción de Artículos	Tarifa Máxima en dólares americanos.
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NOTA:

Las estipulaciones de esta Lista se interpretarán como si estuvieran incluidas en la Tarifa de Aforos vigente de El Salvador como una enmienda a dicha Tarifa.

Abreviaciones:

K. B.—Kilo Bruto

B. M.—"Board Measure".

211-1-03-003	Jamón, con excepción de jamón en latas.....	100 K. B.	12. 00
Ex211-1-04-002	Carne de puerco preservada o preparada en cualquier forma, con o sin legumbres, en latas herméticamente cerradas.....	100 K. B.	29. 29
Ex211-4-03-001	Macarela en latas.....	100 K. B.	5. 00
211-4-03-004	Salmón en latas.....	100 K. B.	5. 00
212-1-07-001	Trigo en su estado natural: Hasta e incluyendo el 31 de diciembre de 1937.....	100 K. B.	5. 00
	Después del 31 de diciembre de 1937.....	100 K. B.	5. 20
Ex212-3-01-001	Avena triturada, perlada o machacada y en sus otras distintas preparaciones alimenticias.....	100 K. B.	4. 40
Ex212-5-01-001	Frutas frescas: manzanas, peras y uvas.....	100 K. B.	2. 50
Ex212-5-02-001	Frutas secas y evaporadas: ciruelas y pasas.....	100 K. B.	5. 00
Ex214-1-04-001	Legumbres en latas: espárragos, guisantes, maíz, tomates y jugo de tomates.....	100 K. B.	6. 00
Ex214-1-03-001	Frutas conservadas: duraznos, peras y frutas para ensaladas o frutas mezcladas, en agua o en su jugo, con o sin azúcar, cocidas o no.....	100 K. B.	7. 50
Ex214-1-09-001	Galletas de soda u otras semejantes, sean de trigo o no.....	100 K. B.	8. 80
214-2-03-001	Madera aserrada, en piezas, inclusive tablas, tablonés, tablitas y vigas, acepilladas o no, propias para cualquier uso.....	Mil Pies B. M.	6. 00

LISTA I—Continúa

Nº de la partida de la Tarifa de Aforos de la República de El Salvador.	Descripción de Artículos	Tarifa	Máxima en dollars americanos.
441-1-01-001	Cueros no especificados, curtidos por cualquier procedimiento, teñidos, adobados o pulidos, inclusive becerro.....	100 K. B.	35. 00
441-1-02-001	Charol.....	100 K. B.	35. 00
441-1-03-001	Cueros agamuzados, gamuza, venado y ante.....	100 K. B.	35. 00
441-1-04-001	Piel de cabra curtida, tafilete y cabritilla.....	100 K. B.	35. 00
471-1-03-002	Lantas de caucho, no especificadas..	100 K. B.	35. 00
471-1-03-003	Llantas de caucho para automoviles (inclusive carros de pasajeros, camiones y ómnibuses) y aeroplanos..	100 K. B.	10. 40
471-1-03-004	Llantas de caucho para motocicletas y bicicletas.....	100 K. B.	10. 40
471-1-03-005	Neumáticos interiores (cámaras de aire) de cualquier clase y para todo uso.....	100 K. B.	10. 40
471-1-04-001	Mangueras y tubos gruesos de caucho, sencillos, reforzados con lona o metal, con o sin accesorios metálicos..	100 K. B.	10. 40
494-1-04-004	Discos de fonógrafo.....	100 K. B.	18. 60

NOTA:
Las especialidades farmacéuticas o medicinas de patente producidas en los Estados Unidos de América deberán venir para su importación en la República de El Salvador amparadas con un certificado de sanidad, debidamente autenticado por un Cónsul de El Salvador, expedido por una Cámara de Comercio u otra entidad semejante o por una Oficina como el "Board of Health" u otra similar del Estado o ciudad donde el fabricante tenga en aquella nación su domicilio comercial.

LISTA II

Párrafos de la Ley de Arancel de 1930 de los Estados Unidos de América.	Descripción de Artículos	Tarifa	Máxima en derechos Derecho específico en dollars de los Estados Unidos de América.
10	Bálsamo, Perú, natural y no preparado y que no contiene alcohol.....	5% ad valorem	
716	Miel de abeja.....	.02 por libra	
752	Guayabas preparadas o conservadas, y no especialmente estipuladas.....	17½% ad valorem	
752	Pastas y pulpas de mango, y pastas y pulpas de guayaba.....	28% ad valorem	
1653	Granos de cocoa o cacao, y las cáscaras de éstos.....	Libre	
1654	Café, salvo café importado a Puerto Rico y sobre el cual está impuesto un derecho bajo la autoridad de Sección 319.....	Libre	
1738	Carey, sin aserrar, cortar, escamar, pulimentar, ni manufacturar de cualquier otra manera, y sin más valor que el de su estado natural.....	Libre	
1765	Pieles de venado, sin curtir.....	Libre	
1765	Pieles de reptiles, sin curtir.....	Libre	

WHEREAS such modifications of existing duties and other import restrictions and such continuance of existing customs and excise treatment as are set forth and provided for in the said Agreement and the two Schedules thereunto annexed are required and appropriate to carry out the said Agreement;

Modifications, etc.

WHEREAS it is stipulated in Article XVII of the said Agreement that the Agreement shall come into force on the thirtieth day following proclamation thereof by the President of the United States of America and the President of the Republic of El Salvador, or should the proclamations be issued on different days, on the thirtieth day following the date of the later in time of such proclamations;

Ante, p. 1571.

WHEREAS the said Agreement, including the two Schedules, was proclaimed by the President of the Republic of El Salvador on April 30, 1937;

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, acting under the authority conferred by the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, do hereby proclaim the said Agreement, including the said Schedules, to the end that the same and every part thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof on and after May 31, 1937, the thirtieth day following May 1, 1937, the date of this my proclamation of the said Agreement.

Proclamation.

48 Stat. 943.
19 U. S. C. § 1351.

PURSUANT to the proviso in Section 350 (a) (2) of the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, I shall from time to time notify the Secretary of the Treasury of the countries with respect to which application of the duties herein proclaimed is to be suspended.

48 Stat. 943.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this first day of May in the year of our Lord one thousand nine hundred and thirty-seven and
[SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

November 28, 1936
[E. A. S. No 102]

Agreement between the United States of America and Costa Rica respecting reciprocal trade. Signed at San José, November 28, 1936; proclaimed by the President of the Republic of Costa Rica, July 2, 1937; proclaimed by the President of the United States, July 3, 1937; effective, August 2, 1937.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Reciprocal trade
agreement with Costa
Rica
48 Stat. 943.
19 U. S. C § 1351

WHEREAS it is provided in the Tariff Act of 1930 of the Congress of the United States of America, as amended by the Act of June 12, 1934, entitled "An Act To amend the Tariff Act of 1930" (48 Stat. 943), as follows:

Statutory provi-
sions.

"Sec. 350 (a) For the purpose of expanding foreign markets for the products of the United States (as a means of assisting in the present emergency in restoring the American standard of living, in overcoming domestic unemployment and the present economic depression, in increasing the purchasing power of the American public, and in establishing and maintaining a better relationship among various branches of American agriculture, industry, mining, and commerce) by regulating the admission of foreign goods into the United States in accordance with the characteristics and needs of various branches of American production so that foreign markets will be made available to those branches of American production which require and are capable of developing such outlets by affording corresponding market opportunities for foreign products in the United States, the President, whenever he finds as a fact that any existing duties or other import restrictions of the United States or any foreign country are unduly burdening and restricting the foreign trade of the United States and that the purpose above declared will be promoted by the means hereinafter specified, is authorized from time to time—

"(1) To enter into foreign trade agreements with foreign governments or instrumentalities thereof; and

"(2) To proclaim such modifications of existing duties and other import restrictions, or such additional import restrictions, or such continuance, and for such minimum periods, of existing customs or excise treatment of any article covered by foreign trade agreements, as are required or appropriate to carry out any foreign trade agreement that the President has entered into hereunder. No proclamation shall be made increasing or decreasing by more than 50 per centum any existing rate of duty or transferring any article between the dutiable and free lists. The proclaimed duties and other import restrictions shall apply to articles the growth, produce, or manufacture of all foreign countries, whether imported directly, or indirectly: *Provided*, That the President may suspend the application to articles the growth, produce, or manufacture of any country because of its discriminatory treatment of American commerce or because of other acts or policies which in his opinion tend to defeat the purposes set forth in this section; and the proclaimed duties and other import restrictions shall be in effect from and after such time as is specified in the proclamation. The President may at any time terminate any such proclamation in whole or in part."

WHEREAS I, Franklin D. Roosevelt, President of the United States of America, have found as a fact that certain existing duties and other import restrictions of the United States of America and the Republic of Costa Rica are unduly burdening and restricting the foreign trade of the United States of America and that the purpose declared in the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, will be promoted by a foreign trade agreement between the United States of America and the Republic of Costa Rica;

Promotion of foreign trade.

48 Stat. 943.
19 U. S. C. § 1351.

WHEREAS reasonable public notice of the intention to negotiate such foreign trade agreement was given and the views presented by persons interested in the negotiation of such agreement were received and considered;

Notice given.

WHEREAS, after seeking and obtaining information and advice with respect thereto from the United States Tariff Commission, the Departments of State, Agriculture, and Commerce, and from other sources, I entered into a foreign Trade Agreement on November 28, 1936, through my duly empowered Plenipotentiary, with the President of the Republic of Costa Rica, through his duly empowered Plenipotentiary, which Agreement, including two Schedules annexed thereto, in the English and Spanish languages, is in words and figures as follows:

Trade agreement entered into.

TRADE AGREEMENT BETWEEN
THE UNITED STATES OF
AMERICA AND THE REPUBLIC
OF COSTA RICA

CONVENIO COMERCIAL ENTRE
LOS ESTADOS UNIDOS DE
AMÉRICA Y LA REPÚBLICA DE
COSTA RICA

The President of the United States of America and the President of the Republic of Costa Rica, desiring to strengthen the traditional bonds of friendship between the two countries by maintaining the principle of equality of treatment as the basis of commercial relations and by granting mutual and reciprocal advantages for the promotion of trade, have decided to conclude a trade agreement and for that purpose have appointed their Plenipotentiaries as follows:

El Presidente de los Estados Unidos de América y el Presidente de la República de Costa Rica, deseosos de estrechar los vínculos de amistad entre ambos países por el mantenimiento del principio de igualdad de trato como base de relaciones comerciales y por la concesión de ventajas mutuas y recíprocas para la promoción del comercio, han decidido concluir un Convenio Comercial y para ese fin han designado sus Plenipotenciarios, así:

Purposes declared.

The President of the United States of America: Leo R. Sack, Envoy Extraordinary and Minister Plenipotentiary to Costa Rica.

El Presidente de los Estados Unidos de América, a su Enviado Extraordinario y Ministro Plenipotenciario en San José, Leo R. Sack.

Plenipotentiaries.

The President of the Republic of Costa Rica: his Secretary of the Interior, Acting Secretary of Foreign Relations, Licentiate Luis Fernández Rodríguez.

El Presidente de la República de Costa Rica, a su Secretario de Estado en el Despacho de Gobernación encargado del de Relaciones Exteriores, Licenciado Luis Fernández Rodríguez;

Who, after having exchanged their full powers, found to be in

Quienes, después de haber canjeado sus plenos poderes, y de en-

good and due form, have agreed upon the following Articles:

contrarlos en buena y debida forma, han convenido en los siguientes artículos:

ARTICLE I

ARTÍCULO I

Enumerated imports into Costa Rica.

Post, p 1595.

No excess duties, etc.

Articles the growth, produce or manufacture of the United States of America, enumerated and described in Schedule I annexed to this Agreement and made a part thereof, shall, on their importation into the Republic of Costa Rica, be exempt from ordinary customs duties in excess of those set forth in the said Schedule. The said articles shall also be exempt from all other duties, taxes, fees, charges or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under laws of the Republic of Costa Rica in force on the day of the signature of this Agreement.

Los artículos cultivados, producidos o manufacturados en los Estados Unidos de América, enumerados y descritos en la Lista I, anexa a este Convenio, del cual forma parte, se eximirán, al ser importados en la República de Costa Rica, de derechos aduaneros ordinarios que excedan a los establecidos en dicha Lista. Esos artículos estarán también exentos de cualesquiera otros derechos, impuestos, contribuciones, cargas o exacciones mayores a los que rijan al día de la firma de este Convenio con respecto a la importación, o cuya imposición posterior requieran leyes vigentes en la República de Costa Rica el día de la firma de este Convenio.

ARTICLE II

ARTÍCULO II

Specified imports from Costa Rica.

Post, p 1596.

No excess duties, etc.

Articles the growth, produce or manufacture of the Republic of Costa Rica, enumerated and described in Schedule II annexed to this Agreement and made a part thereof, shall, on their importation into the United States of America, be exempt from ordinary customs duties in excess of those set forth in the said Schedule. The said articles shall also be exempt from all other duties, taxes, fees, charges or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under laws of the United States of America in force on the day of the signature of this Agreement.

Los artículos cultivados, producidos o manufacturados en la República de Costa Rica, enumerados y descritos en la Lista II anexa a este Convenio del cual forma parte, se eximirán al ser importados en los Estados Unidos de América, de derechos aduaneros ordinarios que excedan a los establecidos en dicha Lista. Esos artículos estarán también exentos de cualesquiera otros derechos, impuestos, contribuciones, cargas o exacciones mayores a los que rijan al día de la firma de este Convenio con respecto a la importación o cuya imposición posterior requieran leyes vigentes en los Estados Unidos de América el día de la firma de este Convenio.

ARTICLE III

ARTÍCULO III

Notes in schedules considered part of Agreement

Post, pp 1595, 1598.

The United States of America and the Republic of Costa Rica agree that the notes included in Schedules I and II, respectively, are hereby given force and effect as integral parts of this Agreement.

Los Estados Unidos de América y la República de Costa Rica convienen en dar a las notas que forman parte de las Listas I y II, respectivamente, fuerza y efecto como partes integrantes de este Convenio.

ARTICLE IV

Articles the growth, produce or manufacture of the United States of America, or the Republic of Costa Rica, shall, after importation into the other country, be exempt from all internal taxes, fees, charges or exactions, other or higher than those payable on like articles of national origin or any other foreign origin.

ARTÍCULO IV

Los artículos cultivados, producidos o manufacturados en los Estados Unidos de América o en la República de Costa Rica, después de su importación en el otro país, estarán exentos de cualesquiera impuestos, contribuciones, cargas o exacciones internas, diferentes o mayores que los pagaderos sobre artículos análogos de origen nacional o de cualquier otro origen extranjero.

Internal tax exemption.

ARTICLE V

In respect of articles the growth, produce or manufacture of the United States of America or the Republic of Costa Rica, enumerated and described in Schedules I and II, respectively, imported into the other country, on which *ad valorem* rates of duty or duties based upon or regulated in any manner by value, are or may be assessed, it is understood and agreed that the bases and methods of determining dutiable value and of converting currencies shall be no less favorable to importers than the bases and methods prescribed under laws and regulations of the Republic of Costa Rica and the United States of America, respectively, in force on the day of the signature of this Agreement.

ARTÍCULO V

En cuanto a los artículos cultivados, producidos o manufacturados en los Estados Unidos de América o en la República de Costa Rica, enumerados y descritos en las Listas I y II, respectivamente, sobre los cuales, al importarse del uno al otro país, se imponen o se impusieren derechos *ad valorem* o derechos basados sobre o regidos de algún modo por el valor, se entiende y conviene que las bases y métodos para determinar el valor imponible y la conversión de monedas, no serán menos favorables a los importadores que las bases y métodos establecidos por las leyes y reglamentos de la República de Costa Rica y de los Estados Unidos de América, respectivamente, vigentes el día de la firma de este Convenio.

Ad valorem duties. Determination, etc., of rates.

ARTICLE VI

1. The Republic of Costa Rica will not impose any prohibition, import or customs quotas, import licenses or any other form of quantitative regulation, whether or not operated in connection with any agency of centralized control, on the importation or sale of any article the growth, produce or manufacture of the United States of America, enumerated and described in Schedule I, nor will the United States of America impose any prohibition, import or customs quotas, import licenses or any other form of quantitative regulation, whether or not operated in connection with any agency of centralized control, on the importa-

ARTÍCULO VI

1. La República de Costa Rica no impondrá prohibición alguna, ni cuotas de importación o aduaneras, licencias de importación ni otra forma de reglamento cuantitativo, obren o no en conexión con agencias de control centralizado, sobre la importación o venta de ninguno de los artículos cultivados, producidos o manufacturados en los Estados Unidos de América, que se enumeran y describen en la Lista I; ni los Estados Unidos de América impondrán prohibición alguna, ni cuotas de importación o aduaneras, licencias de importación ni otra forma de reglamento cuantitativo, obren o no en conexión con agencias de control cen-

No quantitative regulation.

Post, p. 1595.

tion or sale of any article the growth, produce or manufacture of the Republic of Costa Rica, enumerated and described in Schedule II.

Post, p. 1598.

Exceptions.

2. The foregoing provision shall not apply to:

(a) Prohibitions or restrictions (1) imposed on moral or humanitarian grounds; (2) designed to protect human, animal or plant life; (3) relating to prison-made goods; or (4) relating to the enforcement of police or revenue laws; or to

(b) Quantitative restrictions in whatever form, imposed by the United States of America or the Republic of Costa Rica, on the importation or sale of any article the growth, produce or manufacture of the other country, in conjunction with governmental measures operating to regulate or control the production, market supply or prices of like domestic articles, or tending to increase the labor costs of production of such articles. Whenever the Government of either country proposes to establish or change any restriction authorized by this subparagraph, it shall give notice thereof in writing to the other Government and shall afford such other Government an opportunity within thirty days after receipt of such notice to consult with it in respect of the proposed action; and if an agreement with respect thereto is not reached within thirty days following receipt of the aforesaid notice, the Government which proposes to take such action shall be free to do so at any time thereafter, and the other Government shall be free within fifteen days after such action is taken to terminate this Agreement in its entirety on thirty days' written notice.

Notice of proposed restriction, etc.

Right to terminate

Fraudulent practices.

3. It is understood that the provisions of this Article do not affect the application of measures directed against misbranding, adulteration and other fraudulent practices, such as are provided for

tralizado sobre la importación o venta de ninguno de los artículos cultivados, producidos o manufacturados en la República de Costa Rica, enumerados y descritos en la Lista II.

2. No se aplicará la estipulación anterior a:

a) Prohibiciones o restricciones impuestas: 1) Con fundamentos morales o humanitarios; 2) Encaminados a proteger la vida humana, animal o vegetal; 3) Relativas a efectos fabricados en prisiones; o 4) Relativas al cumplimiento de leyes policíacas o fiscales; ni a

b) Restricciones cuantitativas de cualquier forma sobre importación o venta de artículo alguno cultivado, producido o manufacturado en uno u otro país, impuestas, por los Estados Unidos de América o por la República de Costa Rica en conexión con medidas gubernativas encaminadas a regir o controlar la producción, el abastecimiento del mercado, o los precios de artículos nacionales análogos, o tendientes a aumentar el costo del trabajo de producción de tales artículos. En caso de que el Gobierno de uno u otro país se proponga establecer o cambiar cualquier restricción autorizada en este inciso, lo notificará por escrito al otro Gobierno y le dará oportunidad para que dentro de treinta días del recibo de la notificación trate con él acerca de la acción propuesta; y si dentro de los treinta días siguientes al recibo de aquella notificación, no se llegare a un acuerdo respecto del asunto, el Gobierno que se proponga iniciar tal acción quedará en libertad de obrar en cualquier tiempo, y el otro Gobierno, dentro de los quince días de consumada la acción, queda también en libertad de dar por terminado todo este Convenio, a los treinta días de notificarlo por escrito.

3. Queda entendido que las estipulaciones de este artículo no afectan la aplicación de medidas dirigidas contra falsos marbetes, adulteración y otras prácticas fraudulentas, como las estable-

in the pure food and drug laws of the United States of America, or the application of measures directed against unfair practices in import trade, such as are provided for in Section 337 of the United States Tariff Act of 1930.

cidas en las leyes de alimentos y drogas de los Estados Unidos de América; ni la aplicación de medidas encaminadas contra prácticas desleales en el comercio de importación, como las previstas en la Sección 337 de la Ley de Tarifas de 1930 de los Estados Unidos.

46 Stat. 703.
19 U. S. C. § 1337.

ARTICLE VII

1. If the Government of the United States of America or the Government of the Republic of Costa Rica establishes or maintains any form of quantitative restriction or control of the importation or sale of any article in which the other country has an interest, or imposes a lower import duty or charge on the importation or sale of a specified quantity of any such article than the duty or charge imposed on importations in excess of such quantity, the Government taking such action will:

(a) Give public notice of the total quantity, or any change therein, of any such article permitted to be imported or sold or permitted to be imported or sold at such lower duty or charge, during a specified period;

(b) Allot to the other country for such specified period a share of such total quantity as originally established or subsequently changed in any manner, equivalent to the proportion of the total importation of such article which such other country supplied during a previous representative period, unless it is mutually agreed to dispense with such allotment; and

(c) Give public notice of the allotments of such quantity among the several exporting countries, and at all times, upon request, advise the Government of the other country of the quantity of any such article the growth, produce or manufacture of each exporting country, which has been imported or sold or for which licenses or permits for importation or sale have been granted.

ARTÍCULO VII

1. Si el Gobierno de los Estados Unidos de América o el Gobierno de la República de Costa Rica, establece o mantiene alguna forma de restricción cuantitativa, o control de importación o venta de cualquier artículo en que esté interesado el otro país, o sobre importación o venta de determinada cantidad de cualquier artículo, impone derecho o carga menor que el derecho o carga impuesta a las importaciones en exceso de esa cantidad, el Gobierno que así actúe deberá:

a) Dar aviso público de la cantidad total, o cualquier cambio de ésta, que de alguno de esos artículos se permita importar o vender o que se permita importar o vender con derecho o carga reducidos, durante determinado período;

b) Asignar al otro país durante tal determinado período, parte de la cantidad total que originalmente se hubiere establecido, o posteriormente cambiado en modo alguno, en equivalencia a la proporción de la importación total del artículo que el otro país haya enviado durante un período representativo anterior, a menos que mutuamente se convenga en prescindir de tal asignación; y,

c) Dar aviso público de las asignaciones de tal cantidad entre los diferentes países exportadores y en todo tiempo, mediante solicitud, informar al Gobierno del otro país sobre la cantidad de cualquier artículo cultivado, producido o manufacturado de cada país exportador que se haya importado o vendido, o para cuya importación o venta se hayan concedido licencias o permisos.

Action where quantitative restriction is imposed.

Import licenses, etc.

2. Neither the United States of America nor the Republic of Costa Rica shall regulate the total quantity of importations into its territory or sales therein of any article in which the other country has an interest by import licenses or permits issued to individuals or organizations, unless the total quantity of such article permitted to be imported or sold during a quota period of not less than three months shall have been established, and unless the regulations covering the issuance of such licenses or permits shall have been made public before such regulations are put into force.

2. Ni los Estados Unidos de América ni la República de Costa Rica regularán por licencias o permisos de importación a favor de individuos u organizaciones, la cantidad total de importaciones a su territorio o ventas en él de ningún artículo que interese al otro país, a menos que haya sido establecida la cantidad total del artículo objeto del permiso de importación o venta durante un período de cuota no menor de tres meses, y a menos que los reglamentos sobre expedición de tales licencias o permisos se hubieren publicado antes de su entrada en vigor.

ARTICLE VIII

ARTÍCULO VIII

Treatment of Government monopolies

In the event that the Government of the United States of America or the Government of the Republic of Costa Rica establishes or maintains an official monopoly or centralized agency for the importation of or trade in a particular commodity, the Government establishing or maintaining such monopoly or centralized agency will give sympathetic consideration to all representations that the other Government may make with respect to alleged discriminations against its commerce in connection with purchases by such monopoly or centralized agency.

En caso de que el Gobierno de los Estados Unidos de América o el Gobierno de la República de Costa Rica, establezca o mantenga monopolio oficial o agencia centralizada para la importación o venta de determinado artículo, el Gobierno que establezca o mantenga tal monopolio o agencia centralizada, considerará amistosamente las representaciones que hará el otro Gobierno con respecto a las parcialidades alegadas contra su comercio en conexión con compras por tal monopolio o agencia centralizada.

ARTICLE IX

ARTÍCULO IX

Control of foreign exchange.

The tariff advantages and other benefits provided for in this Agreement are granted by the United States of America and the Republic of Costa Rica to each other subject to the condition that if the Government of either country shall establish or maintain, directly or indirectly, any form of control of foreign exchange, it shall administer such control so as to insure that the nationals and commerce of the other country will be granted a fair and equitable share in the allotment of exchange.

Los Estados Unidos de América y la República de Costa Rica se conceden mutuamente las ventajas de tarifa y demás beneficios estipulados en este Convenio sujetos a la condición de que si el Gobierno de uno u otro país, directa o indirectamente, estableciere o mantuviere alguna forma de control, sobre el cambio extranjero, administrará tal control en forma que asegure a nacionales y comercio del otro país garantía de justa y equitativa parte en las asignaciones del cambio.

With respect to the exchange made available for commercial transactions, it is agreed that the Government of each country shall be guided in the administration of any form of control of foreign exchange by the principle that, as nearly as may be determined, the share of the total available exchange which is allotted to the other country shall not be less than the share employed in a previous representative period prior to the establishment of any exchange control for the settlement of commercial obligations to the nationals of such other country.

With respect to non-commercial transactions it is agreed that the Government of each country shall apply any form of control of foreign exchange in a non-discriminatory manner as between the nationals of the other country and the nationals of any third country.

The Government of each country will give sympathetic consideration to any representations which the other Government may make in respect of the application of the provisions of this Article. If, within thirty days after the receipt of such representations, a satisfactory adjustment has not been made or an agreement has not been reached with respect to such representations, the Government making them may, within fifteen¹ days after the expiration of the aforesaid period of thirty days, terminate this Article or this Agreement in its entirety on thirty days' written notice.

ARTICLE X

Any advantage, favor, privilege or immunity which has been or may hereafter be granted by the United States of America or the Republic of Costa Rica to any article originating in or destined for any third country, shall be accorded immediately and unconditionally to the like article originating in or destined for the Republic of Costa Rica or the United States of America, respectively. This provision refers to: customs duties or charges of any kind

Respecto al cambio aprovechable para transacciones comerciales, se acuerda que, en la administración de cualquier forma de control de cambio extranjero, se regirá el Gobierno de cada país por el principio de que, hasta donde se pueda establecer aproximadamente, la parte del total de cambio disponible que se asigne al otro país no será menor que la parte empleada en período representativo anterior al establecimiento de cualquier control de cambio, para la liquidación de obligaciones comerciales a favor de nacionales de tal otro país.

Con respecto a transacciones no comerciales, se acuerda que el Gobierno de cada país administrará cualquiera forma de control de cambio extranjero, de manera que no habrá distinción entre los nacionales del otro país y los de cualquier tercer país.

El Gobierno de cada país considerará amistosamente cualesquiera representaciones que el otro Gobierno pueda hacer respecto la aplicación de las estipulaciones de este artículo. Si, dentro de los treinta días de recibidas tales representaciones, no se llega a arreglo satisfactorio ni se ajusta acuerdo respecto de ellas, el Gobierno que las hace puede, dentro de los quince días posteriores a la expiración del mencionado plazo de treinta días, terminar este artículo o el Convenio en su totalidad a los treinta días de notificación escrita.

Commercial transactions.

Non-commercial transactions.

Mutual consideration of representations with respect to application of Article.

ARTÍCULO X

Cualquier ventaja, favor, privilegio o inmunidad que haya otorgado u otorgue después los Estados Unidos de América o la República de Costa Rica sobre artículos originarios de o destinados a un tercer país, se acordarán inmediata e incondicionalmente a los correspondientes artículos originarios de o destinados a, respectivamente, la República de Costa Rica o los Estados Unidos de América. Esta estipulación se refiere a: derechos aduaneros o cargas de cualquier

Extension of advantages, etc., granted any other country.

¹ So in original.

imposed on or in connection with importation or exportation; the method of levying such duties or charges; all rules and formalities in connection with importation or exportation; and all laws or regulations affecting the sale or use of imported goods within the country.

género sobre o en conexión con importación o exportación; método de imponer tales derechos o cargas; todas las reglas y formalidades relativas a importación o exportación; y todas las leyes y reglamentos que afecten en el país la venta o uso de artículos importados.

ARTICLE XI

ARTÍCULO XI

Laws, regulations, and decisions to be published.

Laws, regulations of administrative authorities and decisions of administrative or judicial authorities of the United States of America, or the Republic of Costa Rica, respectively, pertaining to the classification of articles for customs purposes or to rates of duty shall be published promptly in such a manner as to enable traders to become acquainted with them. Such laws, regulations and decisions shall be applied uniformly at all ports of the respective country, except as otherwise specifically provided in statutes of the United States of America relating to articles imported into Puerto Rico.

Las leyes, los reglamentos de autoridades administrativas y las decisiones de autoridades administrativas o judiciales de los Estados Unidos de América, o de la República de Costa Rica, respectivamente, en cuanto a clasificación de artículos para fines aduaneros o tasa de derechos, se publicarán oportunamente en forma tal que facilite a los comerciantes enterarse de ellos. Tales leyes, reglamentos y decisiones, se aplicarán con uniformidad en todos los puertos del país respectivo, a excepción de lo que de otro modo se haya dispuesto específicamente en estatutos de los Estados Unidos de América en relación con artículos importados en Puerto Rico.

Administrative rulings, etc.
No retroactive application.

No administrative ruling by the United States of America or the Republic of Costa Rica effecting advances in rates of duties or in charges applicable under an established and uniform practice to imports originating in the territory of the other country, or imposing any new requirement with respect to such importations, shall be effective retroactively or with respect to articles either entered for or withdrawn for consumption prior to the expiration of thirty days after the date of publication of notice of such ruling in the usual official manner. The provisions of this paragraph do not apply to administrative orders imposing anti-dumping duties, or relating to regulations for the protection of human, animal, or plant life, or relating to public safety, or giving effect to judicial decisions.

No tendrá efecto retroactivo disposición administrativa alguna de los Estados Unidos de América o de la República de Costa Rica que aumente la tasa de los derechos o cargas aplicables por práctica estable y uniforme a las importaciones originarias del territorio del otro país, o que imponga cualquier nuevo requisito para tales importaciones, ni deberá aplicarse tal disposición a artículos introducidos al país o retirados de la Aduana para el consumo con anterioridad a la expiración de los treinta días a contar de la fecha de publicación del Reglamento, en la forma oficial de costumbre. Las estipulaciones de este párrafo no son aplicables a órdenes administrativas que establezcan derechos contra el "dumping" o se refieran a reglamentos para la protección de la vida humana, animal o vegetal, o a la seguridad pública, o que hagan cumplir resoluciones judiciales.

Anti-dumping duties, etc.

¹ So in original.

ARTICLE XII

In the event that a wide variation occurs in the rate of exchange between the currencies of the United States of America and the Republic of Costa Rica, the Government of either country, if it considers the variation so substantial as to prejudice the industries or commerce of the country, shall be free to propose negotiations for the modification of this Agreement or to terminate this Agreement in its entirety on thirty days' written notice.

ARTÍCULO XII

En caso de que varíe sensiblemente el tipo de cambio entre las monedas de los Estados Unidos de América y la República de Costa Rica, cada uno de los Gobiernos, si considera la variación tan sustancial como para perjudicar las industrias o el comercio de su país, estará en libertad de proponer negociaciones para modificar este Convenio, o para darlo por completamente terminado a los treinta días de notificación escrita.

Modification where rate of exchange prejudicial.

ARTICLE XIII

There will not be imposed in the United States of America or in the Republic of Costa Rica, on importations of articles the growth, produce or manufacture of the other country, greater than nominal penalties because of errors in documentation, made in the country of export, provided it can be established by the importer or other party in interest to the satisfaction of the customs authorities that the errors were clerical in origin or were made in good faith.

The Government of each country will accord sympathetic consideration to such representations as the other Government may make with respect to the operation of customs regulations, quantitative restrictions or the administration thereof, the observance of customs formalities, or the application of sanitary laws and regulations for the protection of human, animal, or plant life; and upon request it will afford adequate opportunity for consultation regarding such representations.

ARTÍCULO XIII

No se impondrán en los Estados Unidos de América ni en la República de Costa Rica sobre la importación de artículos cultivados, producidos o manufacturados en el otro país, sanciones mayores que nominales por causa de errores en la documentación, hechas en el país exportador, siempre que pueda establecerse por el importador u otra persona interesada a satisfacción de las autoridades de la Aduana, que esos errores fueron de copia o que fueron hechos de buena fe.

El Gobierno de cada país considerará amistosamente las representaciones que el otro Gobierno pueda hacerle respecto al funcionamiento de las reglamentaciones de Aduana, restricciones cuantitativas o su administración, observancia de formalidades aduaneras y aplicación de leyes sanitarias y disposiciones para la protección de la vida humana, animal o vegetal; y a solicitud dará amplia oportunidad de consulta en relación con tales representaciones.

Documentation errors.

Mutual consideration of representations with respect to customs, etc.

ARTICLE XIV

1. Except as otherwise provided in the second paragraph of this Article, the provisions of this Agreement relating to the treatment to be accorded by the United States of America or the Republic of Costa Rica, respectively, to the commerce of the other country, shall not apply to the Philippine

ARTÍCULO XIV

1. A excepción de lo estipulado en contrario en el párrafo segundo de este artículo, las disposiciones del presente Convenio relativas al tratamiento acordado, respectivamente, por los Estados Unidos de América o por la República de Costa Rica al comercio del otro país, no se aplicarán a las Islas

Provisions not to apply to Philippine Islands, etc.

Islands, the Virgin Islands, American Samoa, the Island of Guam, or to the Panama Canal Zone.

Filipinas, las Islas Vírgenes, la Samoa Estadunidense, la Isla de Guam, ni a la Zona del Canal de Panamá.

Preferential treatment extended to territories, etc., of each other

Ante, p. 1589

2. Subject to the reservations set forth in the third, fourth, and fifth paragraphs of this Article, the provisions of Article X shall apply to articles the growth, produce or manufacture of any territory under the sovereignty or authority of the United States of America or the Republic of Costa Rica, imported from or exported to any territory under the sovereignty or authority of the other country. It is understood, however, that the provisions of this paragraph do not apply to the Panama Canal Zone.

2. Con las reservas establecidas en los párrafos tercero, cuarto y quinto de este artículo, las estipulaciones del artículo X se aplicarán a artículos cultivados, producidos o manufacturados en cualquier territorio bajo la soberanía o autoridad de los Estados Unidos de América o de la República de Costa Rica, y que se importen de o que se exporten a cualquier territorio bajo la soberanía o autoridad del otro país. Se entiende, sin embargo, que las disposiciones de este párrafo no se aplican a la Zona del Canal de Panamá.

Not applicable to Canal Zone

Existing advantages excepted from operation of Agreement

3. The advantages now accorded or which may hereafter be accorded by the United States of America or the Republic of Costa Rica to adjacent countries in order to facilitate frontier traffic and advantages resulting from a customs union to which either the United States of America or the Republic of Costa Rica may become a party shall be excepted from the operation of this Agreement.

3. Se exceptuarán de los efectos de este Convenio las ventajas ya acordadas o que en lo sucesivo se acordaren por los Estados Unidos de América o la República de Costa Rica a países adyacentes para facilitar el tráfico fronterizo, y las ventajas resultantes de una unión aduanera de que los Estados Unidos de América o la República de Costa Rica puedan formar parte.

4. The advantages now accorded or which may hereafter be accorded by the Republic of Costa Rica to the commerce of Guatemala, El Salvador, Honduras, Nicaragua or Panama, so long as any such advantage is not accorded to any other country, shall be excepted from the operation of this Agreement.

4. Se exceptuarán de los efectos de este Convenio las ventajas ya acordadas o que en lo futuro acuerde la República de Costa Rica al Comercio de Guatemala, El Salvador, Honduras, Nicaragua, o Panamá, mientras tales ventajas no se concedan a cualquier otro país.

5. The advantages now accorded or which may hereafter be accorded by the United States of America, its territories or possessions or the Panama Canal Zone to one another or to the Republic of Cuba shall be excepted from the operation of this Agreement. The provisions of this paragraph shall continue to apply in respect to any advantages now or hereafter accorded by the United States of America, its territories or possessions or the Panama

5. Se exceptuarán de este Convenio las ventajas ya acordadas o que en lo sucesivo se acordaren por los Estados Unidos de América, sus territorios o posesiones o por la Zona del Canal de Panamá entre sí o a la República de Cuba. Las disposiciones de este párrafo continuarán aplicándose respecto de cualesquiera ventajas que ahora o después acuerden los Estados Unidos de América, sus territorios o posesiones o la Zona del Canal de Panamá, a Islas Filipinas, con

Philippine Islands.

Canal Zone to the Philippine Islands irrespective of any change in the political status of the Philippine Islands.

6. Unless otherwise specifically provided in this Agreement, the provisions thereof shall not be construed to apply to police or sanitary regulations; and nothing in this Agreement shall be construed to prevent the adoption of measures prohibiting or restricting the exportation of gold or silver, or to prevent the adoption of such measures as the United States of America or the Republic of Costa Rica, respectively, may see fit with respect to the control of the export or sale for export of arms, munitions, or implements of war, and, in exceptional circumstances, of all other military supplies.

prescindencia de cualquier cambio en el estado político de las Islas Filipinas.

6. Salvo expresas disposiciones en contrario de este Convenio, sus estipulaciones no se tendrán como aplicables a los reglamentos de policía o sanidad; y nada de este Convenio se considerará como contrario a la adopción de medidas sobre prohibir o restringir la exportación de oro o plata o para impedir la adopción de las medidas que los Estados Unidos de América o la República de Costa Rica, respectivamente hallen oportunas para controlar la exportación o la venta para exportación de armas, municiones o implementos de guerra, y, en circunstancias excepcionales, de todo otro material de guerra.

Not applicable to police or sanitary regulations.

Adoption of measures restricting, etc., exportation of gold or silver.

Export or sale for export of arms, munitions, etc.

ARTICLE XV

In the event that the United States of America or the Republic of Costa Rica adopts any measure which, even though it does not conflict with the terms of this Agreement, is considered by the Government of the other country to have the effect of nullifying or impairing any object of the Agreement, the Government of the country which has adopted any such measure shall consider such representations and proposals as the Government of the other country may make with a view to effecting a mutually satisfactory adjustment of the matter.

ARTÍCULO XV

En caso de que los Estados Unidos de América o la República de Costa Rica adopten cualquier medida que, aunque sin contradecir los términos de este Convenio, se considere por el Gobierno del otro país como nulificando o perjudicando cualquiera de los objetos del Convenio, el Gobierno del país que la haya adoptado considerará las representaciones y propuestas que el Gobierno del otro país pueda hacer con la mira de efectuar un arreglo mutuamente satisfactorio del asunto.

Adoption of measures impairing Agreement, adjustment.

ARTICLE XVI

The present Agreement shall come into force on the thirtieth day following proclamation thereof by the President of the United States of America and the President of the Republic of Costa Rica, or should the proclamations be issued on different days, on the thirtieth day following the date of the later in time of such proclamations, and shall remain in force for the term of three years thereafter, unless terminated pursuant to the

ARTÍCULO XVI

El presente Convenio entrará en vigor a los treinta días de su promulgación por los Presidentes de los Estados Unidos de América y de la República de Costa Rica, o, si las promulgaciones se hicieren, en días diferentes, a los treinta días de la fecha de la última promulgación; y estará vigente durante el término de tres años, a menos que antes se hubiere terminado en virtud de las estipulaciones de los artículos VI,

Effective date and duration

Ante, pp 1585, 1588,
1591.

provisions of Articles VI, IX, or XII. El Gobierno de cada uno de los países notificará al otro la fecha de la promulgación del Convenio.

Termination.

Unless at least six months before the expiration of the aforesaid term of three years the Government of either country shall have given to the other Government notice of intention to terminate this Agreement upon the expiration of the aforesaid term, the Agreement shall remain in force thereafter, subject to termination under the provisions of Articles VI, IX or XII, until six months from such time as the Government of either country shall have given notice to the other Government.

A no ser que el Gobierno de uno de los países, por lo menos seis meses antes de la expiración del indicado plazo de tres años, notifique al otro su intención de terminar este Convenio al cumplirse dicho lapso, el Convenio continuará en vigencia, sujeto a terminación, conforme las cláusulas de los artículos VI, IX o XII, a los seis meses de la fecha en que uno de los Gobiernos haga la notificación al otro Gobierno.

Signatures

In witness whereof the respective Plenipotentiaries have signed this Agreement and have affixed their seals hereto.

Done in duplicate, in the English and Spanish languages, both authentic, at the city of San José, this twenty-eighth day of November, nineteen hundred and thirty-six.

En fe de lo expuesto los respectivos Plenipotenciarios firman este Convenio y ponen sus sellos en él, por duplicado, en los idiomas inglés y español, ambos textos auténticos, en la ciudad de San José, a los veintiocho días del mes de noviembre de mil novecientos treinta y seis.

[SEAL] LEO R SACK

[SEAL] LUIS FERNÁNDEZ

SCHEDULE I

Costa Rican
Tariff Item
NumberMaximum Rates of
Duty in Costa
Rican Colonies

Description of Articles

The provisions of this Schedule will be interpreted as though they had been included in the current Costa Rican tariff law by an amendment to that law.

Abbreviation: G. K. = Gross Kilo

Ex 18	Cash registers.....	G. K.	0. 40
Ex 18	Typewriters.....	G. K.	0. 40
Ex 18	Adding and similar machines.....	G. K.	0. 40
Ex 20	Steel furniture of all kinds.....	G. K.	0. 80
Ex 61	Silk hosiery.....	G. K.	15. 00
Ex 63	Fly paper.....	G. K.	0. 05
Ex 67	Paper napkins.....	G. K.	0. 40
Ex 77	Trunks unlined or lined with tin or ordinary material.....	G. K.	0. 40
Ex 78 (bis)	Radioes, accessories and parts.....	G. K.	1. 00
Ex 87	Construction lumber, boards, beams and planks, wooden frames for windows and doors, round or straight-edged poles, for Province of Limon except hospital.....	G. K.	0. 01
88	Construction lumber, boards, beams and planks, wooden frames for windows and doors, round or straight-edged poles, for other Provinces.....	G. K.	0. 02
Ex 94	Fine leathers such as calfskin, patent or not, sheepskin, goatskin, cordovan, morocco leather. Tanned skins with hair, provided they are not for adornment.....	G. K.	0. 50
Ex 103	Fresh fruit.....	G. K.	0. 04
Ex 107 (bis)	Wheat flour, first quality, as defined in Decree No. 16 of June 20, 1931.....	G. K.	0. 15

1 So in original.

LISTA I

Número de la
Partida del
Arancel de
Costa RicaAlfaro máximo de
los derechos en
Colonos de
Costa Rica

Descripción de los Artículos

Las estipulaciones de esta Lista deben interpretarse como si hubiesen sido incluidas en el Arancel de Aduanas vigente como enmienda a la Ley.

Abbreviación: K. B. = Kilo Bruto

Ex 18	Máquinas registradoras.....	K. B.	0. 40
Ex 18	Máquinas de escribir.....	K. B.	0. 40
Ex 18	Máquinas de sumar y semejantes.....	K. B.	0. 40
Ex 20	Acero en muebles de todas clases.....	K. B.	0. 80
Ex 61	Medias de seda natural.....	K. B.	15. 00
Ex 63	Papel para coger moscas.....	K. B.	0. 05
Ex 67	Servilletas de papel.....	K. B.	0. 40
Ex 77	Baúles sin forrar o forrados con lata o género ordinario.....	K. B.	0. 40
Ex 78 (bis)	Radioes receptores, sus accesorios y partes.....	K. B.	1. 00
Ex 87	Maderas para construcción en tablas, tabloneros, vigas, marcos de madera para ventanas y puertas, palos redondos o regatas, para la provincia de Limón, exceptuando el Hospital.....	K. B.	0. 01
88	Maderas para construcción en tablas, tabloneros, vigas, marcos de madera para ventanas y puertas, palos redondos o regatas para otras provincias.....	K. B.	0. 02
Ex 94	Cueros finos como becerros, charolados o no, carneros, badanas, cordobanes y tafiletes. Pielles curtidas con su pelo, que no sean de adorno.....	K. B.	0. 50
Ex 103	Frutas frescas.....	K. B.	0. 04
Ex 107 (bis)	Harina de trigo de primera calidad, conforme con lo estipulado en el decreto N° 16 del 20 de junio de 1931.....	K. B.	0. 15

Schedule I:

Schedule I—Contd.

SCHEDULE I—Continued

LISTA I—Continúa

<i>Costa Rican Tariff Item Number</i>	<i>Description of Articles</i>	<i>Maximum Rates of Duty in Costa Rican Colonos</i>	<i>Número de la Partida del Arancel de Costa Rica</i>	<i>Descripción de los Artículos</i>	<i>Aforo máximo de los derechos en Colonos de Costa Rica</i>
Ex 109 and Ex 112 Ex 113	Oatmeal, oat groats, flaked and rolled oats, and other cracked cereals and prepared cereals-----	G. K. 0. 16	Ex 109 y Ex 112	Avena machacada, avena molida, avena en copos o escamas, y otros cereales quebrados y los preparados-----	K. B. 0. 16
Ex 113	Condensed milk, pure or with sugar add- ed, containing not less than 8 per cent and 25 per cent of cream and solids respectively-----	G. K.	Ex 113	Leche condensada pura o adicionada de azúcar, cuya cantidad de crema y ma- terias sólidas sean no menos de 8 y 25%, respectivamente-----	K. B. 0. 30
Ex 113	Evaporated milk, pure or with sugar added, containing not less than 7.8 per cent and 25 per cent of cream and solids respectively-----	G. K. 0. 20 G. K. 0. 55	Ex 113	Leche evaporada pura o adicionada de azúcar, cuya cantidad de crema y materias sólidas sean no menos de 7, 8 y 25%, respectivamente-----	K. B. 0. 20 K. B. 0. 55
116 Ex 118	Pure Hog Lard----- Canned salmon, canned mackerel, canned shellfish, prepared or preserved in any form, and canned sardines, prepared or preserved in tomato, mustard or other sauces-----	G. K. 0. 50	116 Ex 118	Manteeca de cerdo, pura----- Salmón en latas, marcarela en latas, mariscos y crustáceos en latas, pre- servados o preparados en cualquier forma, sardinas en latas, preparadas o preservadas en tomate, mostaza, u otras salsas-----	K. B. 0. 50
Ex 118	Dried fruit (Except as provided for in tariff item number 106)-----	G. K. 0. 40	Ex 118	Frutas secas (con excepción de las indi- cadas en la partida 106)-----	K. B. 0. 40
Ex 118	Fruits preserved in their own juice, in syrup or sugared-----	G. K. 0. 50	Ex 118	Frutas conservadas en su jugo, en almibar o azucaradas-----	K. B. 0. 50
Ex 118	Canned vegetables, not specified-----	G. K. 0. 50	Ex 118	Conservas de hortalizas no especificadas.	K. B. 0. 50
Ex 122	Chewing gum-----	G. K. 1. 00	Ex 122	Gomas para mascar-----	K. B. 1. 00
Ex 122	Dried skimmed milk-----	G. K. 0. 65	Ex 122	Leche desnatada seca en polvo-----	K. B. 0. 65
Ex 122	Dried whole milk-----	G. K. 0. 60	Ex 122	Leche pura seca en polvo-----	K. B. 0. 60
Ex 122 (3)	Canned hog meat, other than cured or pickled ham and shoulder-----	G. K. 1. 30	Ex 122 (3)	Carne de cerdo en latas excluyendo jamón y lomo, curado, o en escabeche.	K. B. 1. 30
129	Rosin-----	G. K. 0. 05	129	Pez rubia-----	K. B. 0. 05
Ex 132	Ready-mixed paints, ready for imme- diate use or application, enamel paints and enamels, including cellulose lac- quers and enamels, and asphalt var- nishes, and other prepared paints not		Ex 132	Pinturas preparadas, listas para inmediato uso o aplicación, pinturas de esmalte, y esmaltes, incluyendo lacas y esmaltes celulosos, barnices de asfalto y toda clase de pinturas no especificadas,	

				listas para inmediato uso o aplicación--	K. B.	0. 30
specifically classified, ready for immediate use or application-----				Barnices preparados sin pigmentos y no especificados-----	K. B.	0. 60
Varnishes prepared without pigments and not specifically provided for-----				Preparaciones farmacéuticas, líquidas, no especificadas, tales como: aguas destiladas, aceites, bálsamos, coloraciones, aguas para los ojos, decocciones, elixires, esencias oficiales y espíritus, emulsiones, extractos líquidos, siropes o jarabes, glóbulos, glicerolatos, jugos, lociones, soluciones o licores, tinturas, linimentos, miel, ojimiel, mixturas, mucilagos y vinos-----	K. B.	1. 50
Unperfumed toilet soap and shaving soap and paste, perfumed or not-----				Jabones de tocador no perfumados, jabones y pasta para afeitar, perfumados o no-----	K. B.	1. 00
Liquid dentifrices-----				Dentífricos líquidos-----	K. B.	2. 00
Plasters, medicinal, not specified-----				Emplastos medicinales no especificados-----	K. B.	1. 70
Dentifrices, unspecified-----				Preparaciones dentífricas no especificadas-----	K. B.	2. 00
Ointments and medicinal salves-----				Ungentos y pomadas medicinales-----	K. B.	2. 50
Pharmaceutical preparations, dry, not specified, such, as: pills, coated or uncoated, dragees, compound powders, small gelatine capsules or perles, medicinal cigarettes and pencils, tablets or cachets, suppositories in various forms, candles, medicinal teas, dosified medicines in granular form, and salts, prepared or compounded, not including the effervescent varieties-----				Preparaciones farmacéuticas secas, no especificadas, como: píldoras desnudas o cubiertas, grageas, polvos compuestos, cápsulas gelatinosas o perlas, cigarrillos y lápices medicinales, sellos o cachets, supositorios en varias formas, bujías, téis medicinales, gránulos dosificados y sales compuestas o preparadas, no incluyendo las efervescentes-----	K. B.	4. 00
Yeast, dried or prepared, for medicinal use-----				Levaduras desecadas o preparadas para uso medicinal-----	K. B.	4. 00
Serums and vaccines, not specified-----				Sueros y vacunas no especificados-----	K. B.	3. 00
Cigarettes-----				Cigarrillos-----	K. B.	8. 00

Note 1. It is agreed that the Costa Rica Government will not impose any certification requirements or any formality for the importation, registration, licensing and sale of pharmaceutical

¹ So in original.

Nº 1.—Es convenido que el Gobierno de Costa Rica no exigirá requerimientos de certificación o cualquier otra formalidad para la importación, registro, permiso y venta de especialidades farmacéuti-

Schedules I-II.

specialities and patent medicines which are impossible of fulfillment in the United States because of the lack of a duly authorized Federal agency.

It is further agreed that the fees for the permanent registration, analysis and licensing and for the fulfillment of any other required formality with respect to the manufacture, importation and sale of medicinal products and pharmaceutical specialties shall not in the aggregate exceed 10 colones.

Nota 2. No special customs treatment shall be accorded to any third country with respect to any article of specified trade name, or other exclusive designation now classified under Section IX of the Costa Rican Customs Tariff (second edition), without prior negotiations between the Governments of the United States and Costa Rica with respect to appropriate modifications of the nomenclature, import duties, or other charges or exactions on the pharmaceutical products and patent medicines classified in the above-named section.

SCHEDULE II

Note: The provisions of this Schedule shall be construed and given the same effect, and the application of collateral provisions of the tariff laws of the United States to the provisions of this Schedule shall be determined, insofar as may be practicable, as if each provision of this Schedule appeared respectively in the paragraph of the Tariff Act of 1930 noted in the Column at the left of the respective descriptions of articles.

<i>United States Tariff Act of 1930 Paragraph</i>	<i>Description of Articles</i>	<i>Maximum rates of duties. Specific rates in United States dollars</i>
747	Pineapples: in crates.....	0.35 per crate of 2.45 cubic ft.

cas de patente que sean de imposible cumplimiento de los Estados Unidos, causadas por falta de una Agencia Federal debidamente autorizada.

Es además convenido que los derechos para el registro permanente, análisis y registro y para el cumplimiento de cualesquiera otras formalidades requeridas con respecto a la manufactura, importación y venta de productos medicinales y especialidades farmacéuticas, no serán mayores de 10 colones.

Nota 2.—No se autorizará ningún tratamiento especial aduanero a ninguna tercera nación con respecto a ninguno de los artículos de nombre comercial especificados u otra designación exclusiva ahora clasificados en la Sección IX del Arancel de Aduanas de Costa Rica (segunda edición), sin previo entendimiento entre los Gobiernos de los Estados Unidos y Costa Rica, con respecto a una apropiada modificación de la nomenclatura, derechos de importación u otros cargos o exacciones sobre los productos farmacéuticos y medicinas de patente clasificadas en la Sección antes mencionada.

LISTA II

Descripción de Artículos

Nota: Las disposiciones de esta Lista, para su interpretación y efecto, y la aplicación a ellas de las disposiciones colaterales de las leyes de Arancel de los Estados Unidos de América serán determinadas, en cuanto fuere posible, como si cada disposición de esta Lista apareciera respectivamente en el párrafo de la Ley de Arancel de 1930 señalado en la columna de la izquierda de las respectivas descripciones de los artículos.

<i>Tarifa de los Estados Unidos Ley de 1930. Párrafo</i>	<i>Descripción de artículos</i>	<i>Aforos máximos. Derechos especificados en dólares de los Estados Unidos de América</i>
747	Piñas: en jabas.....	0.35 por jabade 2.45 pies cúbicos

	in bulk	0.009 each		Sueltas	0.009 c/u.
752	Guavas prepared or preserved, and not specially provided for	17½% ad valorem	752	Guayabas preparadas o en conserva y no especialmente especificadas	17½% ad valorem
752	Bananas dried, desiccated, or evaporated	17½% ad valorem	752	Bananos secos, deshidratados o evaporados	17½% ad valorem
752	Mango pastes and pulps, and guava pastes and pulps	28% ad valorem	752	Pastas y pulpas de mangos, y pastas y pulpas de guayabas y guabas	28% ad valorem
1618	Bananas, green or ripe	Free	1618	Bananos verdes o maduros	Libre
1618	Plantains, green or ripe	Free	1618	Plátanos, verdes o maduros	Libre
1653	Cocoa or cacao beans, and shells thereof	Free	1653	Cocoa o cacao en grano y las cáscaras de éste	Libre
1654	Coffee, except coffee imported into Puerto Rico and upon which a duty is imposed under the authority of Section 319	Free	1654	Café, excepto el café importado a Puerto Rico, sobre el cual se ha puesto un aforo autorizado por Sección 319	Libre
1765	Deerskins, raw	Free	1765	Cueros crudos de venado	Libre
1765	Reptile skins, raw	Free	1765	Cueros crudos de reptiles	Libre
1790	Turtles	Free	1790	Tortugas	Libre
1803	Cabinet woods in the log	Free	1803	Maderas finas para muebles en trozas	Libre
1803	Balsa wood in the log	Free	1803	Madera de balsa, en trozas	Libre

Modifications, etc.

WHEREAS such modifications of existing duties and other import restrictions and such continuance of existing customs and excise treatment as are set forth and provided for in the said Agreement and the two Schedules thereunto annexed are required and appropriate to carry out the said Agreement;

Ante, p 1598.

WHEREAS it is stipulated in Article XVI of the said Agreement that the Agreement shall come into force on the thirtieth day following proclamation thereof by the President of the United States of America and the President of the Republic of Costa Rica, or, should the proclamations be issued on different days, on the thirtieth day following the date of the later in time of such proclamations;

WHEREAS the said Agreement, including the two Schedules, was proclaimed by the President of the Republic of Costa Rica on July 2, 1937;

Proclamation.

48 Stat 943.
19 U. S. C. § 1351.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, acting under the authority conferred by the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, do hereby proclaim the said Agreement, including the said Schedules, to the end that the same and every part thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof on and after August 2, 1937, the thirtieth day following July 3, 1937, the date of this my proclamation of the said Agreement.

PURSUANT to the proviso in Section 350 (a) (2) of the said Tariff Act of 1930, as amended by the said Act of June 12, 1934, I shall from time to time notify the Secretary of the Treasury of the countries with respect to which application of the duties herein proclaimed is to be suspended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this third day of July in the year of our Lord one thousand nine hundred and thirty-seven, and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

Agreement between the United States of America and Peru for exchange of official publications. Effected by exchange of notes, signed October 16 and 20, 1936.

October 16 and 20, 1936
[E. A. S. No. 103]

The Peruvian Minister of Foreign Affairs (Ulloa) to the American Chargé d'Affaires (Dreyfus)

Número 6-3/103

MINISTERIO DE RELACIONES EXTERIORES,

Lima, 16 de octubre de 1936.

SEÑOR ENCARGADO DE NEGOCIOS:

Con referencia a nuestras conversaciones y al Memorandum de Vuestra Señoría, de 28 de agosto último, me es grato dejar constancia de que hemos convenido en lo siguiente:

Agreement with
Peru for exchange of
official publications.

Habrà un intercambio completo de publicaciones oficiales entre el Perú y los Estados Unidos de América, que será regido en la siguiente forma:

1.—La oficina oficial de intercambio por parte del Perú es la Sección de Propaganda y Publicaciones del Ministerio de Relaciones Exteriores. La oficina oficial de intercambio para el envío de publicaciones por parte de los Estados Unidos es la "Smithsonian Institution".

2.—Los envíos de intercambio serán recibidos en nombre del Perú por el Ministerio de Relaciones Exteriores y en nombre de los Estados Unidos por la Biblioteca del Congreso.

3.—El Perú proporcionará regularmente en un ejemplar las publicaciones oficiales de los departamentos, oficinas e instituciones que aparecen de la lista anexa.¹ Sin necesidad de negociaciones posteriores se extenderá el envío a las publicaciones de las Oficinas del Estado que se creen en el futuro.

4.—Los Estados Unidos proporcionarán regularmente en un ejemplar un lote completo de las publicaciones oficiales de los departamentos, oficinas e instituciones que aparecen en la lista anexa número dos.² Sin necesidad de negociaciones posteriores se extenderá el envío a las publicaciones de las Oficinas del Estado que se creen en el futuro.

5.—No están comprendidas en este intercambio las publicaciones confidenciales, formularios en blanco y notas circulares de carácter reservado.

6.—En cuanto a las oficinas que en la actualidad no editan publicaciones y que no se mencionan en las listas adjuntas, es entendido que llegado el caso de que las editaran quedarían comprendidas en la obligación de intercambio.

7.—Cada uno de los Gobiernos sufragará los gastos postales, de ferrocarriles, marítimos y todos los que existan en el país.

¹ Véase la lista, pág. 1602.

² Véase la lista, pág. 1608.

8.—Ambos Gobiernos expresan su buena voluntad para enviar los embarques, en cuanto esté a su alcance.

9.—Este acuerdo es independiente de los ya existentes sobre intercambio de publicaciones celebrados entre los diversos departamentos de ambos Gobiernos y no los afecta.

Con la recepción de la nota de Vuestra Señoría, idéntica a la presente, mi Gobierno considerará concluido el acuerdo anterior.

Aprovecho la oportunidad para reiterarle, señor Encargado de Negocios, las seguridades de mi distinguida consideración.

ALBERTO ULLOA

Al Honorable señor

LOUIS G. DREYFUS,

Encargado de Negocios de los Estados Unidos,

Lima.

LISTA DE PUBLICACIONES OFICIALES PERUANAS QUE DEBEN ENVIARSE A LA BIBLIOTECA DEL CONGRESO DE WASHINGTON, EN VIRTUD DEL CONVENIO DE INTERCAMBIO DE PUBLICACIONES ENTRE LOS GOBIERNOS DEL PERÚ Y DE LOS ESTADOS UNIDOS.¹—

Ministerio de Relaciones Exteriores.

Memoria del Ministro del Ramo.

Boletín Oficial del Ministerio.

Tratados, Convenciones y Acuerdos vigentes entre el Perú y otros Estados.

Suplementos a los Tratados.

Informaciones económicas, comerciales y financieras del Perú.

Revista de Actualidades peruanas.

Ministerio de Gobierno y Policía.

Anuario de Legislación peruana.

Constitución política del Perú (vigente).

Memoria del Ministro del Ramo.

Ministerio de Hacienda y Comercio.

Presupuesto General de la República.

Cuenta General de la República.

Anuario del Comercio Exterior del Perú.

Resumen trimestral del Comercio especial del Perú.

Boletín mensual del Comercio especial del Perú.

Boletín del Banco central de Reserva del Perú.

Memoria de la Superintendencia General de Bancos.

Memoria del Ministro del Ramo.

Boletín de Aduanas.

Ministerio de Fomento e Industrias.

Memoria del Ministro del Ramo.

Boletín de la Dirección General de Fomento.

Boletín de la Dirección de Agricultura.

Cartillas de Divulgación de la Sección "Propaganda Agrícola".

Boletín de la Sección de Irrigación.

Boletín de la Dirección General de Obras Públicas.

Boletín del Cuerpo de Ingenieros de Minas.

Boletín de la Dirección de Minas y Petroleo.

Boletín de la Escuela de Artes y Oficios.

¹ Esta lista fué remitida a la Embajada Norteamericana per el Ministro de Relaciones Exteriores del Perú con nota fechada feb.^o 17 de 1937.

Ministerio de Salud Pública, Trabajo y Previsión Social.

Memoria del Ministro del Ramo.

Boletín de la Dirección General de Salubridad Pública.

Cartillas de Higiene.

Ministerio de Educación Pública.

Memoria del Ministro del Ramo.

Revista de Educación.

Programa Oficial de Enseñanza.

Ministerio de Justicia y Culto.

Memoria del Ministro del Ramo.

Anales de la Corte Suprema.

Memoria del Presidente de la Corte Suprema.

Memoria del Presidente de la Corte Superior.

Ministerio de Guerra.

Memoria del Ministro del Ramo.

Revista de la Escuela Militar del Perú.

Boletín del Clase.

Ministerio de Marina y Aviación.

Memoria del Ministro del Ramo.

Revista "Aviación".

Revista de la Escuela Naval del Perú.

Revista "Alas". (Comandancia General de Aeronáutica)

Sociedad Nacional Agraria.

Memoria Anual.

Sociedad Nacional de Industrias.

Revista "La Industria Peruana".

Universidad Mayor de San Marcos de Lima.

Memoria Anual del Rector.

Revista Universitaria.

"Letras". (Órgano de la Facultad de Letras)

Boletín Bibliográfico (de la Biblioteca Central de la Universidad)

Revista de la Facultad de Derecho.

Revista de la Facultad de Medicina.

Universidad del Cuzco.

Revista Universitaria.

Memoria del Rector.

Universidad de Arequipa.

Memoria Anual del Rector.

Revista Universitaria.

Universidad de Trujillo.

Memoria Anual del Rector.

Revista Universitaria.

Museo Nacional.

Revista del Museo.

Cuadernos de Arte Peruano.

Municipalidad de Lima.

Memoria Anual del Alcalde.

Boletín de la Biblioteca Municipal.

Reglamento Interior de la Municipalidad.

Decretos y Resoluciones Municipales.

Academia Nacional de Medicina.
Anales de la Medicina Peruana.
Colegio de Abogados de Lima.
Revista del Foro.
Sociedad Geográfica de Lima.
Revista de la Sociedad Geográfica.

[Translation]

Number 6-3/103

MINISTRY OF FOREIGN AFFAIRS,
Lima, October 16, 1936.

MR. CHARGÉ D'AFFAIRES:

With reference to our conversations and to Your Excellency's memorandum of August 28, 1936, I have the honor to make it a matter of record that we have agreed upon the following:

There shall be a complete exchange of official publications between Peru and the United States of America, which shall be conducted under the following terms:

1. The official exchange office on the part of Peru is Section of Propaganda and Publications of the Ministry of Foreign Affairs. The official exchange office for the transmission of publications of the United States is the Smithsonian Institution.

2. The exchange sendings shall be received on behalf of Peru by the Ministry of Foreign Affairs; on behalf of the United States by the Library of Congress.

3. Peru will furnish regularly in one copy the official publications of the departments, offices and institutions which appear in the attached list.¹ The list shall be extended to include, without the necessity of subsequent negotiations, the publications of any new offices that the State may create in the future.

4. The United States will furnish regularly in one copy a full set of the official publications of the departments, bureaus, offices, and institutions which appear in the attached list number two.² The list shall be extended to include, without the need of subsequent negotiations, the publications of any new offices that the State may create in the future.

5. Confidential publications, blank forms, and circular letters not of a public nature are not to be included in this exchange.

6. So far as offices which at this time do not issue publications and which are not mentioned in the attached lists, there is the understanding that publications issued in the future by the offices shall be furnished in one copy.

7. Each party to the agreement shall bear the postal, railroad, steamship and other charges arising in its own country.

8. Both parties express their willingness, so far as possible, to expedite shipments.

¹ For list, see p. 1605.

² For list, see p. 1608.

9. This agreement is not concerned with the already existing exchange agreements between the various government departments, etc., of the two countries.

Upon receipt of Your Excellency's note, identical in tenor to the present communication, my Government will consider that the foregoing agreement enters into effect.

I avail myself of this opportunity to reiterate, Mr. Chargé d'Affaires, the assurance of my distinguished consideration.

ALBERTO ULLOA

The Honorable LOUIS G. DREYFUS,
Chargé d'Affaires of the United States,
Lima.

LIST OF PERUVIAN OFFICIAL PUBLICATIONS WHICH ARE TO BE FURNISHED TO THE LIBRARY OF CONGRESS AT WASHINGTON IN ACCORDANCE WITH THE AGREEMENT ON EXCHANGE OF PUBLICATIONS BETWEEN THE GOVERNMENTS OF PERU AND OF THE UNITED STATES ¹

Ministry of Foreign Affairs:

Report (Memoria) of the Minister;
Official Bulletin of the Department;
Treaties, Conventions, and Agreements in Force Between Peru and Other States;
Supplements to the Treaties;
Economic, Commercial and Financial Reports of Peru;
Review of Current Events in Peru.

Ministry of Gobierno and Police:

Annual Publication of Peruvian Legislation;
Political Constitution of Peru (the one in force);
Report of the Minister.

Ministry of Hacienda and Commerce:

General Budget of the Republic;
General Accounts of the Republic;
Annual Publication on the Foreign Commerce of Peru;
Quarterly Résumé of the Special Commerce of Peru;
Monthly Bulletin of the Special Commerce of Peru;
Bulletin of the Central Reserve Bank of Peru;
Report of the Office of the General Superintendent of Banks;
Report of the Minister;
Customs Bulletin.

Ministry of Fomento and Industries:

Report of the Minister;
Bulletin of the General Bureau of Fomento;
Bulletin of the Office of Agriculture;
Pamphlets for Purposes of Popularization, of the Section Entitled "Agricultural Propaganda";
Bulletin of the Irrigation Section;
Bulletin of the General Office of Public Works;
Bulletin of the Corps of Mining Engineers;
Bulletin of the Office of Mines and Petroleum;
Bulletin of the Vocational School.

¹ This list was transmitted to the American Embassy by the Peruvian Minister of Foreign Affairs with a note dated Feb. 17, 1937.

Ministry of Public Health, Labor and Social Welfare:

Report of the Minister;
Bulletin of the General Office of Public Health;
Health Pamphlets.

Ministry of Public Education:

Report of the Minister;
Review of Education;
Official Program of Education.

Ministry of Justice and Worship:

Report of the Minister;
Annals of the Supreme Court;
Report of the President (Chief Justice) of the Supreme Court;
Report of the President of the Superior Court.

Ministry of War:

Report of the Minister;
Review of the Military School of Peru;
Bulletin of the Class.

Ministry of Marine and Aviation:

Report of the Minister;
The Review, "Aviation";
Review of the Naval School of Peru;
The Review, "Alas" (Wings), from the Office of the General Command of Aviation.

National Agrarian Society:

Annual Report.

National Society of Industries:

The Review, "La Industria Peruana" (Peruvian Industries).

Universidad Mayor de San Marcos de Lima. (Great University of San Marcos de Lima).

Annual Report of the Rector;
University Review;
"Letras" (Organ of the Faculty of Letters);
Bibliographical Bulletin (from the Central Library of the University);
Review of the Faculty of Law;
Review of the Faculty of Medicine.

University of Cuzco:

University Review;
Report of the Rector.

University of Arequipa:

Annual Report of the Rector;
University Review.

University of Trujillo:

Annual Report of the Rector;
University Review.

National Museum:

Review of the Museum;
Albums of Peruvian Art.

Municipality of Lima:

Annual Report of the Alcalde;
Bulletin of the Municipal Library;
Regulations of the Municipality;
Municipal Decrees and Resolutions.

National Academy of Medicine:

Annals of Peruvian Medicine.

College of Lawyers of Lima:

Revista del Foro ("Court Review")

Geographical Society of Lima:

Review of the Geographical Society.

The American Chargé d'Affaires ad interim (Dreyfus) to the Peruvian Minister of Foreign Affairs (Ulloa)

No. 1177

EMBASSY OF THE UNITED STATES OF AMERICA,
Lima, October 20, 1936.

EXCELLENCY:

With reference to our conversations, to my memorandum on August 28 last, and to Your Excellency's note No. 6-3/103 of October 16, 1936, I have the honor to express our agreement for the exchange of official publications between the Governments of the United States of America and of Peru, as follows:

There shall be a complete exchange of official publications between Peru and the United States of America, which shall be conducted under the following terms:

1. The official exchange office on the part of Peru is Section of Propaganda and Publications of the Ministry of Foreign Affairs. The official exchange office for the transmission of publications of the United States is the Smithsonian Institution.

2. The exchange sendings shall be received on behalf of Peru by the Ministry of Foreign Affairs; on behalf of the United States by the Library of Congress.

3. Peru will furnish regularly in one copy the official publications of the departments, offices and institutions which appear in the attached list.¹ The list shall be extended to include, without the necessity of subsequent negotiations, the publications of any new offices that the State may create in the future.

4. The United States will furnish regularly in one copy a full set of the official publications of the departments, bureaus, offices, and institutions which appear in the attached list number two.² The list shall be extended to include, without the need of subsequent negotiations, the publications of any new offices that the State may create in the future.

¹ For list, see p. 1605.

² For list, see p. 1608.

5. Confidential publications, blank forms, and circular letters not of a public nature are not to be included in this exchange.

6. So far as offices which at this time do not issue publications and which are not mentioned in the attached lists, there is the understanding that publications issued in the future by the offices shall be furnished in one copy.

7. Each party to the agreement shall bear the postal, railroad, steamship and other charges arising in its own country.

8. Both parties express their willingness so far as possible, to expedite shipments.

9. This agreement is not concerned with the already existing exchange agreements between the various government departments, etc. of the two countries.

I avail myself of this opportunity to extend to Your Excellency the renewed assurance of my highest consideration.

LOUIS G. DREYFUS, jr.

Chargé d'Affaires, a. i.

His Excellency

Doctor ALBERTO ULLOA,

Minister of Foreign Affairs,

Lima.

[LIST OF UNITED STATES GOVERNMENT DEPARTMENTS, BUREAUS, OFFICES, AND INSTITUTIONS, OFFICIAL PUBLICATIONS OF WHICH ARE TO BE FURNISHED TO THE PERUVIAN MINISTRY OF FOREIGN AFFAIRS IN ACCORDANCE WITH THE AGREEMENT FOR THE EXCHANGE OF OFFICIAL PUBLICATIONS BETWEEN THE UNITED STATES OF AMERICA AND PERU.¹]

1. Congress. (Publications include the Congressional record, bound; the Journals, Documents, and Reports, bound, of both the Senate and the House of Representatives; and all documents not bearing a Congressional number printed by order of either House)
2. The President of the United States
3. Department of State
4. Department of the treasury, and the following subordinate bureaus
 - a. Office of the Comptroller of currency
 - b. Office of the Treasurer of the United States
 - c. Bureau of customs
 - d. Bureau of internal revenue
 - e. Federal alcohol administration
 - f. Bureau of mint
 - g. Bureau of the Public Health Service
 - h. Coast Guard
 - i. Bureau of the Budget

¹ This list was transmitted to the Peruvian Minister of Foreign Affairs by the American Embassy with a note dated Feb. 24, 1937.

5. Department of War and the following subordinate offices
 - a. Office of the Adjutant General
 - b. Office of the Judge Advocate General
 - c. Office of the Surgeon General
 - d. Office of the Chief of Engineers
 - e. Office of the Chief Signal Officer
 - f. Bureau of Insular Affairs
 - g. Office of the Chief of the Air Corps
 - h. National Guard Bureau
 - i. Office of the Chief of the Chemical Warfare Service
 - j. Army War College
 - k. Military Academy: West Point.
6. Department of Justice and the following subordinate offices
 - a. Federal Bureau of Investigation
 - b. Bureau of Prisons
7. Post Office Department
8. Department of the Navy, and the following subordinate offices
 - a. Office of Naval Operations
 - b. Bureau of Navigation, including Hydrographic Office and Naval Observatory
 - c. Bureau of Medicine and Surgery
 - d. Bureau of Engineering
 - e. Bureau of Aeronautics
 - f. Marine Corps
 - g. Naval Academy, Annapolis
 - h. Naval War College
9. Department of the Interior, and the following subordinate offices.
 - a. General land office
 - b. Bureau of Indian Affairs
 - c. Office of Education
 - d. Geological Survey
 - e. Bureau of Reclamation
 - f. Bureau of Mines
 - g. National Park Service
 - h. Board on Geographic Names.
10. Department of Agriculture, and the following subordinate offices:
 - a. Office of Experiment Stations
 - b. Bureau of Biological Survey
 - c. Bureau of Chemistry and Soils
 - d. Forest Service
 - e. Bureau of Public Roads
 - f. Soil Conservation Service
 - g. Weather Bureau
11. Department of Commerce, and the following subordinate offices:
 - a. Bureau of Air Commerce
 - b. Bureau of census
 - c. Bureau of Foreign and Domestic Commerce
 - d. National Bureau of Standards
 - e. National Bureau of Fisheries
 - f. Bureau of Lighthouses
 - g. Coast and Geodetic Survey
 - h. Bureau of Marine Inspection and Navigation
 - i. Patent office (Drawings and specifications of patents are not available on international exchange)
 - j. Shipping Board Bureau

12. Department of Labor, including the following subordinate offices:
 - a. Bureau of Labor Statistics
 - b. Immigration and Naturalization Service
 - c. Children's Bureau
 - d. Women's Bureau
 - e. Employment Service
13. Board of Governors of the Federal Reserve System
14. Board of Tax Appeals
15. Bureau of American Ethnology
16. Civil Service Commission
17. Court of Claims of the United States
18. Court of Customs and Patent Appeals
19. District of Columbia Government
20. Farm Credit Administration
21. Federal Communications Commission
22. Federal Home Loan Bank Board
23. Federal Housing Administration
24. Federal Power Commission
25. Federal Trade Commission
26. General Accounting Office
27. Government Printing Office
28. Interstate Commerce Commission
29. Library of Congress (Including the Copyright Office)
30. National Advisory Committee for Aeronautics
31. National Archives
32. National Mediation Board
33. National Museum
34. Securities and Exchange Commission
35. Smithsonian Institution (Only publications issued by the Government printing office)
36. Social Security Board
37. Supreme Court of the United States
38. Tariff Commission
39. Veterans' Administration

Arrangement between the United States of America and Japan respecting perpetual leaseholds. Effected by exchange of notes, signed March 25, 1937.

March 25, 1937
[E. A. S. No. 104]

The American Ambassador (Grew) to the Japanese Minister for Foreign Affairs (Sato)

No. 705

EMBASSY OF THE UNITED STATES OF AMERICA,
Tokyo, March 25, 1937 (12 Showa).

EXCELLENCY:

On March 4, 1937, I had the pleasure to inform the Imperial Japanese Ministry of Foreign Affairs that the Government of the United States was prepared to accept a mutually satisfactory settlement of the perpetual lease system which originated in former treaties between the United States and Japan, and on that basis I now have the honor, under instructions from my Government¹, to confirm to Your Excellency the following understanding between the Government of the United States of America and the Imperial Japanese Government:

Arrangement with Japan for settlement of the perpetual lease system.

(1) That the said system of perpetual leases shall come to an end on the first day of the fourth month of the seventeenth year of Showa, corresponding to the 1st day of April, 1942, when the leaseholds shall without compensation be converted into the rights of ownership in accordance with the provisions of Japanese laws and ordinances. Such conversion shall be effected free of registration taxes in respect of lands under perpetual leases and buildings thereon.

(2) That until the thirty-first day of the third month of the seventeenth year of Showa, corresponding to the 31st day of March, 1942, the present position as regards tax exemptions shall be maintained, and no further claims shall be made by the Japanese authorities for arrears of such disputed taxes as may still be uncollected.

While requesting Your Excellency to be good enough to confirm the above understanding, I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

JOSEPH C. GREW

His Excellency

Mr. NAOTAKE SATO,

His Imperial Japanese Majesty's

Minister for Foreign Affairs,

etc., etc., etc.

¹ So in original.

*The American Ambassador (Grew) to the Japanese Minister for
Foreign Affairs (Sato)*

EMBASSY OF THE UNITED STATES OF AMERICA,
Tokyo, March 25, 1937.

MY DEAR MINISTER:

Permit me to refer to my note of today's date relating to the system of perpetual leases and to inform you that by the words "until the thirty-first day of the third month of the seventeenth year of Showa, corresponding to the 31st day of March, 1942, the present position as regards tax exemptions shall be maintained", it is understood that until March 31, 1942, no taxes at present in force shall be collected other than those heretofore collected from the leaseholders, nor shall any taxes which may be introduced in the future be collected from the leaseholders if such taxes are directly connected with the perpetual leaseholds.

In the event of an American leasehold being transferred it is also understood that it shall continue to be subject to the terms of the understanding in my note under reference.

The friendly spirit in which this settlement has been brought about will, I trust, ensure its successful operation.

Sincerely yours,

JOSEPH C. GREW

His Excellency

Mr. NAOTAKE SATO,

*His Imperial Japanese Majesty's
Minister for Foreign Affairs,
etc., etc., etc.*

The Japanese Minister for Foreign Affairs (Sato) to the American Ambassador (Grew)

昭和十二年（千九百三十七年）三月二十五日東京ニ於テ

「アメリカ」合衆國特命全權大使

ジョゼフ、クラーク、グルー閣下

佐藤 武

以書翰啓上致候陳者本日附貴翰ヲ以テ左ノ如ク御通報相成敬承致候

千九百三十七年三月四日日本使ハ合衆國政府ガ合衆國日本國間ノ舊條約ニ起原ヲ有スル永代借地制度ニ付相互ニ満足ナル解決ヲ受諾スルノ用意アル旨日本帝國外務省ニ對シ通報致置候處右ノ基礎ニ於テ本使ハ茲ニ本國政府ノ訓令ニ依リ「アメリカ」合衆國政府及大日本帝國政府間ノ左記了解ヲ閣下ニ對シ確認スルノ光榮ヲ有シ候

(一) 前記永代借地制度ハ昭和十七年四月一日即チ千九百四十二年四月一日ニ終止スベク其ノ際永代借地權ハ何等ノ補償ナク日本國法令ノ規定ニ從ヒ所有權ニ轉換セラルベシ右轉換ハ永代借地及其ノ上ニ存スル建物ニ對スル登録稅ノ賦課ナクシテ行ハルベシ

(二) 昭和十七年三月三十一日即チ千九百四十二年三月三十一日迄免稅ニ關スル現狀ハ維持セラルベク且紛議アリタル租稅ニシテ未ダ徵收セラレズ滯納ト爲リ居ルモノニ對シテハ日本國當局ニ依リ此ノ上納稅ヲ要求セラルコトナカルベシ

本大臣ハ右了解ヲ本問題ノ最終的解決トシテ茲ニ確認スル旨閣下ニ通報スルノ光榮ヲ有シ候
本大臣ハ茲ニ重テ閣下ニ向テ敬意ヲ表シ候 敬具

[Translation]

Tokyo, *March 25, 12 Showa (1937)*.

EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's Note of today's date in which Your Excellency has informed me as follows:

Confirmation by
Japan.

On March 4, 1937, I had the pleasure to inform the Imperial Japanese Ministry of Foreign Affairs that the Government of the United States was prepared to accept a mutually satisfactory settlement of the perpetual lease system which originated in former treaties between the United States and Japan, and on that basis I now have the honor, under instructions from my Government, to confirm to Your Excellency the following understanding between the Government of the United States of America and the Imperial Japanese Government:

(1) That the said system of perpetual leases shall come to an end on the first day of the fourth month of the seventeenth year of Showa, corresponding to the 1st day of April, 1942, when the leaseholds shall without compensation be converted into the rights of ownership in accordance with the provisions of Japanese laws and ordinances. Such conversion shall be effected free of registration taxes in respect of lands under perpetual leases and buildings thereon.

(2) That until the thirty-first day of the third month of the seventeenth year of Showa, corresponding to the 31st day of March, 1942, the present position as regards tax exemptions shall be maintained, and no further claims shall be made by the Japanese authorities for arrears of such disputed taxes as may still be uncollected.

I have the honor to inform Your Excellency that I hereby confirm the above understanding for a final settlement of this question.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

NAOTAKE SATO

His Excellency

Mr. JOSEPH CLARK GREW,

*Ambassador Extraordinary and Plenipotentiary
of the United States of America.*

The Japanese Minister for Foreign Affairs (Sato) to the American Ambassador (Grew)

昭和十二年（千九百三十七年）三月二十五日東京ニ於テ

佐藤 武

「アメリカ」合衆國特命全權大使
ジョゼフ、クラーク、グルー閣下

外務省

以書翰啓上致候陳者本日附貴翰ヲ以テ「昭和十七年三月三十一日即チ千九百四十二年三月三十一日迄免稅ニ關スル現狀ハ維持セラルベク」ナル字句ニ依リ千九百四十二年三月三十一日迄現ニ實施中ノ租稅が從來永代借地權者ヨリ徵收セラレタルモノノ外徵收セラルルコトナカルベク又將來設ケラルルコトアルベキ租稅ガ永代借地權ニ直接關係アルモノナルニ於テハ永代借地權者ヨリ徵收セラルルコトナカルベキモノト了解セラルルモノナル旨御通報相成敬承致候

本大臣ハ右ノ點及米國人ノ有スル永代借地權ガ移轉セラルル場合ニ於ケル其ノ地位ニ關スル閣下ノ了解ヲ確認スルヲ欣快トスルト共ニ本解決ヲ見ルニ至レル友誼的精神ニ因リ本解決ガ首尾ヨク實行セラ

ルルニ至ルベキコトヲ等シク期待致候

敬具

[Translation]

Tokyo, *March 25, 12 Showa (1937)*.

MY DEAR AMBASSADOR:

I have the honour to acknowledge the receipt of Your Excellency's letter of today's date in which Your Excellency was so good as to inform me that by the words "until the thirty-first day of the third month of the seventeenth year of Showa, corresponding to the 31st day of March, 1942, the present position as regards tax exemptions shall be maintained", it is understood that until March 31, 1942, no taxes at present in force shall be collected other than those heretofore collected from the leaseholders, nor shall any taxes which may be introduced in the future be collected from the leaseholders if such taxes are directly connected with the perpetual leaseholds.

I take pleasure in confirming Your Excellency's understanding on this point and also with respect to the status of an American leasehold in the event of its transfer, and I reciprocate Your Excellency's hope that the friendly spirit in which this settlement has been brought about will ensure its successful operation.

NAOTAKE SATO

His Excellency

Mr. JOSEPH CLARK GREW,

*Ambassador Extraordinary and Plenipotentiary
of the United States of America.*

Commercial agreement between the United States of America and the Union of Soviet Socialist Republics. Effected by exchange of notes, signed at Moscow, August 4, 1937; approved by the Soviet of People's Commissars of the Union of Soviet Socialist Republics, August 6, 1937; proclaimed by the President of the United States, August 6, 1937; effective, August 6, 1937.

August 4, 1937
[E. A. S. No 106]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION.

WHEREAS, by my authority, the Ambassador Extraordinary and Plenipotentiary of the United States of America to the Union of Soviet Socialist Republics exchanged at Moscow on August 4, 1937, with the authorized representative of the Union of Soviet Socialist Republics identic notes, constituting an agreement in regard to commerce between the United States of America and the Union of Soviet Socialist Republics and the continuance of favorable commercial relations between the two Governments, the texts of which notes are word for word as follows:

Commercial, etc.,
agreement with the
Union of Soviet So-
cialist Republics.

Texts of notes

Moscow, August 4, 1937.

EXCELLENCY:

With reference to recent conversations which have taken place in regard to commerce between the United States of America and the Union of Soviet Socialist Republics, I have the honor to confirm and to make of record by this note the following agreement which has been reached between the Governments of our respective countries:

Confirmation by
United States of
America

One. The United States of America will grant to the Union of Soviet Socialist Republics unconditional and unrestricted most-favored-nation treatment in all matters concerning customs duties and charges of every kind and in the method of levying duties, and, further, in all matters concerning the rules, formalities and charges imposed in connection with the clearing of goods through the customs, and with respect to all laws or regulations affecting the sale or use of imported goods within the country.

Most-favored-nation
treatment

Accordingly, natural or manufactured products having their origin in the Union of Soviet Socialist Republics shall in no case be subject, in regard to the matters referred to above, to any duties, taxes or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like products having their origin in any third country are or may hereafter be subject.

Similarly, natural or manufactured products exported from the territory of the United States of America and consigned to the territory of the Union of Soviet Socialist Republics shall in no case be subject with respect to exportation and in regard to the above-mentioned matters, to any duties, taxes, or charges other or higher, or to any rules or formalities other or more burdensome, than those to

which the like products when consigned to the territory of any third country are or may hereafter be subject.

Any advantage, favor, privilege or immunity which has been or may hereafter be granted by the United States of America in regard to the above-mentioned matters, to a natural or manufactured product originating in any third country or consigned to the territory of any third country shall be accorded immediately and without compensation to the like product originating in or consigned to the territory of the Union of Soviet Socialist Republics.

It is understood that so long as and in so far as existing law of the United States of America may otherwise require, the foregoing provisions, in so far as they would otherwise relate to duties, taxes or charges on coal, coke manufactured therefrom, or coal or coke briquettes, shall not apply to such products imported into the United States of America. If the law of the United States of America shall not permit the complete operation of the foregoing provisions with respect to the above-mentioned products, the Union of Soviet Socialist Republics reserves the right within fifteen days after January 1, 1938, to terminate this agreement in its entirety on thirty days' written notice.

It is understood, furthermore, that the advantages now accorded or which may hereafter be accorded by the United States of America, its territories or possessions, the Philippine Islands, or the Panama Canal Zone to one another or to the Republic of Cuba shall be excepted from the operation of this agreement.

Nothing in this agreement shall be construed to prevent the adoption of measures prohibiting or restricting the exportation or importation of gold or silver, or to prevent the adoption of such measures as the Government of the United States of America may see fit with respect to the control of the export or sale for export of arms, ammunition, or implements of war, and, in exceptional cases, all other military supplies. It is understood that any action which may be taken by the President of the United States of America under the authority of Section 2 (b) of the Neutrality Act of 1937 in regard to the passage of title to goods shall not be considered as contravening any of the provisions of this agreement relating to the exportation of natural or manufactured products from the territory of the United States of America.

Subject to the requirement that no arbitrary discrimination shall be effected by the United States of America against importations from the Union of Soviet Socialist Republics and in favor of those from any third country, the foregoing provisions shall not extend to prohibitions or restrictions (1) imposed on moral or humanitarian grounds, (2) designed to protect human, animal, or plant life, (3) relating to prison-made goods, or (4) relating to the enforcement of police or revenue laws.

Two. On its part the Government of the Union of Soviet Socialist Republics will take steps to increase substantially the amount of purchases in the United States of America for export to the Union of Soviet Socialist Republics of articles the growth, produce, or manufacture of the United States of America.

Three. This agreement shall come into force on the day of proclamation thereof by the President of the United States of America and of approval thereof by the Soviet of People's Commissars of the Union of Soviet Socialist Republics, which proclamation and approval shall take place on the same day. It shall continue in effect for twelve months. Both parties agree that not less than thirty days

U S trade with
its possessions, Phil-
ippine Islands, etc

Adoption of meas-
ures prohibiting, etc ,
exportation of gold or
silver
Export or sale for
export of munitions,
etc

Exceptions.

U. S. S. R. to take
steps for increasing
purchases in U. S

Effective date of
agreement

prior to the expiration of the aforesaid period of twelve months they shall start negotiations regarding the extension of the period during which the present agreement shall continue in force.

Accept, Excellency, the renewed assurances of my highest consideration.

JOSEPH E. DAVIES
*Ambassador Extraordinary and Plenipotentiary
of the United States of America*

His Excellency
MAXIM LITVINOFF,
*People's Commissar for Foreign Affairs,
Moscow.*

Moscow, August 4, 1937.

MR. AMBASSADOR:

With reference to recent conversations which have taken place in regard to commerce between the Union of Soviet Socialist Republics and the United States of America, I have the honor to confirm and to make of record by this note the following agreement which has been reached between the Governments of our respective countries:

Confirmation by
Union of Soviet So-
cialist Republics

One. The United States of America will grant to the Union of Soviet Socialist Republics unconditional and unrestricted most-favored-nation treatment in all matters concerning customs duties and charges of every kind and in the method of levying duties, and, further, in all matters concerning the rules, formalities, charges imposed in connection with the clearing of goods through the customs, and with respect to all laws or regulations affecting the sale or use of imported goods within the country.

Accordingly, natural or manufactured products having their origin in the Union of Soviet Socialist Republics shall in no case be subject, in regard to the matters referred to above, to any duties, taxes or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like products having their origin in any third country are or may hereafter be subject.

Similarly, natural or manufactured products exported from the territory of the United States of America and consigned to the territory of the Union of Soviet Socialist Republics shall in no case be subject with respect to exportation and in regard to the above-mentioned matters, to any duties, taxes, or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like products when consigned to the territory of any third country are or may hereafter be subject.

Any advantage, favor, privilege or immunity which has been or may hereafter be granted by the United States of America in regard to the above-mentioned matters, to a natural or manufactured product originating in any third country or consigned to the territory of any third country shall be accorded immediately and without compensation to the like product originating in or consigned to the territory of the Union of Soviet Socialist Republics.

It is understood that so long as and in so far as existing law of the United States of America may otherwise require, the foregoing provisions, in so far as they would otherwise relate to duties, taxes or charges on coal, coke manufactured therefrom, or coal or coke briquettes, shall not apply to such products imported into the United States of America. If the law of the United States of America shall not permit the complete operation of the foregoing provisions with

respect to the above-mentioned products, the Union of Soviet Socialist Republics reserves the right within fifteen days after January 1, 1938, to terminate this agreement in its entirety on thirty days' written notice.

It is understood, furthermore, that the advantages now accorded or which may hereafter be accorded by the United States of America, its territories or possessions, the Philippine Islands, or the Panama Canal Zone to one another or to the Republic of Cuba shall be excepted from the operation of this agreement.

Nothing in this agreement shall be construed to prevent the adoption of measures prohibiting or restricting the exportation or importation of gold or silver, or to prevent the adoption of such measures as the Government of the United States of America may see fit with respect to the control of the export or sale for export of arms, ammunition, or implements of war, and, in exceptional cases, all other military supplies. It is understood that any action which may be taken by the President of the United States of America under the authority of Section 2 (b) of the Neutrality Act of 1937 in regard to the passage to title to goods shall not be considered as contravening any of the provisions of this agreement relating to the exportation of natural or manufactured products from the territory of the United States of America.

Subject to the requirement that no arbitrary discrimination shall be effected by the United States of America against importations from the Union of Soviet Socialist Republics and in favor of those from any third country, the foregoing provisions shall not extend to prohibitions or restrictions (1) imposed on moral or humanitarian grounds, (2) designed to protect human, animal, or plant life, (3) relating to prison-made goods, or (4) relating to the enforcement of police or revenue laws.

Two. On its part the Government of the Union of Soviet Socialist Republics will take steps to increase substantially the amount of purchases in the United States of America for export to the Union of Soviet Socialist Republics of articles the growth, produce, or manufacture of the United States of America.

Three. This agreement shall come into force on the day of proclamation thereof by the President of the United States of America and of approval thereof by the Soviet of People's Commissars of the Union of Soviet Socialist Republics, which proclamation and approval shall take place on the same day. It shall continue in effect for twelve months. Both parties agree that not less than thirty days prior to the expiration of the aforesaid period of twelve months they shall start negotiations regarding the extension of the period during which the present agreement shall continue in force.

Accept, Mr. Ambassador, the renewed assurances of my highest consideration.

M. LITVINOFF

Mr. JOSEPH E. DAVIES,
Ambassador of the United States of America,
Moscow.

Date of entering
into force

AND WHEREAS, it is provided in the said agreement that the agreement shall come into force on the day of proclamation thereof by the President of the United States of America and of approval thereof by the Soviet of People's Commissars of the Union of Soviet Socialist Republics and that such proclamation and approval shall take place on the same day:

Proclamation.

NOW, THEREFORE, BE IT KNOWN THAT I, Franklin D. Roosevelt, President of the United States of America, do hereby make known and proclaim the said agreement and, having been notified that the same has been approved on this day by the Soviet of People's Commissars of the Union of Soviet Socialist Republics, direct that it be observed and fulfilled with good faith by the United States of America on and from the date of this my proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this sixth day of August in the year of our Lord one thousand nine hundred and thirty-seven
[SEAL] and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

RELATED NOTES

Related notes.

1. CONCERNING THE AMOUNT OF PURCHASES TO BE MADE BY THE UNION OF SOVIET SOCIALIST REPUBLICS IN THE UNITED STATES OF AMERICA

The American Ambassador (Davies) to the People's Commissar for Foreign Affairs (Litvinoff)

EMBASSY OF THE UNITED STATES OF AMERICA,
Moscow, August 2, 1937.

EXCELLENCY:

I have the honor to refer to our recent conversations in regard to the commerce between the United States of America and the Union of Soviet Socialist Republics and to ask you to let me know the value of articles, the growth, produce, or manufacture of the United States of America which the Government of the Union of Soviet Socialist Republics intends to purchase in the United States of America during the next twelve months for export to the Union of Soviet Socialist Republics.

Accept, Excellency, the renewed assurances of my highest consideration.

JOSEPH E. DAVIES

Ambassador of the United States of America

His Excellency

MAXIM LITVINOFF,

*People's Commissar for Foreign Affairs,
Moscow.*

*The People's Commissar for Foreign Affairs (Litvinoff) to the
American Ambassador (Davies)*

Moscow, August "5", 1937.

MR. AMBASSADOR:

In reply to your inquiry regarding the intended purchases by the Union of Soviet Socialist Republics in the United States of America in the course of the next twelve months, I have the honour to inform you that, according to information received by me from the People's Commissariat for Foreign Trade, the economic organizations of the Union of Soviet Socialist Republics intend to buy in the United States of America in the course of the next twelve months American goods to the amount of at least forty million dollars.

Accept, Mr. Ambassador, the renewed assurances of my highest consideration.

M. LITVINOFF

MR. JOSEPH E. DAVIES,
*Ambassador of the United States of America,
Moscow.*

2. EXEMPTION FROM EXCISE TAX OF COAL, COKE, AND COAL OR COKE
BRIQUETTES IMPORTED INTO THE UNITED STATES FROM THE UNION
OF SOVIET SOCIALIST REPUBLICS

*The American Ambassador (Davies) to the People's Commissar for
Foreign Affairs (Litvinoff)*

EMBASSY OF THE UNITED STATES OF AMERICA,
Moscow, August 4, 1937.

EXCELLENCY:

With reference to the agreement concerning commerce between the United States of America and the Union of Soviet Socialist Republics which has been signed today, I have the honor to state that the Embassy has been informed that in view of the wording of Section 1 of the agreement, the authorities of the Treasury Department of the United States will hold that coal of all sizes, grades, and classifications (except culm and duff), coke manufactured therefrom, and coal or coke briquettes, imported from the Union of Soviet Socialist Republics will be exempt from the excise tax provided in Section 601 (c) (5) of the Revenue Act of 1932, as amended, subject, however, to possible adverse action by the courts.

Accept, Excellency, the renewed assurances of my highest consideration.

JOSEPH E. DAVIES
Ambassador of the United States of America

His Excellency

MAXIM LITVINOFF,
*People's Commissar for Foreign Affairs,
Moscow.*

*The People's Commissar for Foreign Affairs (Litvinoff) to the
American Ambassador (Davies)*

Moscow, August 4, 1937.

DEAR MR. AMBASSADOR:

In reply to your inquiry regarding the intended exports of Soviet coal to the United States during the ensuing twelve months, I may state that, according to information received by me from the People's Commissariat for Foreign Trade, the economic organizations of the Union of Soviet Socialist Republics will not in any case export to the United States during the year beginning August 6, 1937, more than 400,000 tons of Soviet coal.

Sincerely yours,

M. LITVINOFF

Mr. JOSEPH E. DAVIES,
*Ambassador of the United States of America,
Moscow.*

August 17, 1937
[E. A. S. No. 106]

Agreement between the United States of America and Panama in regard to mutual recognition of ship measurement certificates. Effected by exchange of notes, signed August 17, 1937.

The Panamanian Minister (Boyd) to the Secretary of State (Hull)

LEGACIÓN DE PANAMÁ,
Washington, Agosto 17 de 1937.

SEÑOR SECRETARIO:

Tengo el honor de referirme a la nota de ese Departamento fechada el 17 de Marzo de 1937¹ y a la cocrrespondencia anterior referente a la recíproca exención de los barcos de la República de Panamá y de los Estados Unidos de América en cuanto al aforo de su tonelaje en los puertos de los respectivos países.

El Gobierno de Panamá adoptó las leyes y reglamentos de los Estados Unidos para el aforo de los barcos al ser matriculados, por medio de su Resolución N° 1, de 5 de Enero de 1937, que establece la reglamentación del tonelaje (Véase la *Gaceta Oficial* de Panamá, de 8 de Enero de 1937). Esto le fué debidamente comunicado a Vuestra Excelencia, para su información, en mi nota N° D-21, de 22 de Enero de 1937 y en respuesta Vuestra Excelencia solicitó que se le informara acerca de las opiniones de mi Gobierno respecto a la propuesta de un arreglo recíproco para la aceptación de los certificados de matrícula y del apéndice de tonelaje especial en los puertos de ambos países.

Conforme a instrucciones de mi Gobierno, tengo ahora el honor de avisar a Vuestra Excelencia que los barcos de los Estados Unidos que lleven certificado de matrícula u otros documentos nacionales que prueben su tonelaje neto según aforo y que se les hayan expedido conforme a las leyes y reglamentos de los Estados Unidos, quedarán exentos de reaforo en todos los puertos de la República de Panamá, con tal que los barcos de matrícula panameña que hayan sido aforados o medidos de conformidad con la antedicha resolución y que porten certificado de matrícula u otros documentos nacionales que demuestren su tonelaje neto según aforo verificado así, quedarán recíprocamente exentos de reaforo en todos los puertos de los Estados Unidos.

Se tiene entendido además, que los barcos para pasajeros, de Panamá y de los Estados Unidos, portarán un Apéndice de Tonelaje especial con cada una de sus matrículas, para probar todos los espacios destinados a pasajeros y que las leyes de los Estados Unidos no requieren actualmente que se les mida para su matriculación, anexos que se usarán para determinar los derechos de puerto y otros impuestos que se basan en el tonelaje neto de los barcos.

¹ No se imprime.

Ruego a Vuestra Excelencia que tenga la bondad de confirmar el acuerdo que se expresa en la presente.

Sírvase aceptar Vuestra Excelencia, las seguridades de mi más alta consideración.

AUGUSTO S. BOYD

Ministro.

A Su Excelencia CORDELL HULL,

Secretario de Estado

de los Estados Unidos de América,

Washington, D. C.

[Translation]

LEGATION OF PANAMA,
Washington, August 17, 1937.

MR. SECRETARY:

I have the honor to refer to the Department's note of March 17, 1937,¹ and to previous correspondence concerning the reciprocal exemption of vessels of the Republic of Panama and of the United States of America from readmeasurement for tonnage in the ports of the respective countries.

Proposal of Panama
respecting mutual recognition of ship measurement certificates.

The Government of Panama adopted the laws and regulations of the United States for the admeasurement of vessels for registry by its Resolution No. 1 of January 5, 1937, establishing tonnage regulations (see *Gaceta Oficial* of Panama of January 8, 1937). This information was duly communicated to Your Excellency in my note No. D-21 of January 22, 1937, and in reply Your Excellency requested to be informed of the views of my Government with regard to a proposed reciprocal arrangement for the acceptance of certificates of registry and the special tonnage appendix in the ports of the two countries.

On instructions from my Government, I now have the honor to advise you that vessels of the United States carrying certificates of registry or other national papers showing their net tonnage measurements and issued in accordance with the laws and regulations of the United States shall be exempted from readmeasurement in all ports of the Republic of Panama, provided that vessels of Panamanian registry which have been measured in accordance with the aforesaid resolution and which carry certificates of registry or other national papers showing their net tonnage measurements as thus ascertained shall be reciprocally exempted from readmeasurement in all ports of the United States.

It is further understood that passenger vessels of Panama and of the United States shall carry a Special Tonnage Appendix to each of their registers showing all passenger spaces not now required by the laws of the United States to be measured for registry, for use in determining port dues and other charges based on the net tonnage of vessels.

¹ Not printed.

I have the honor to request that Your Excellency be good enough to confirm the understanding set forth herein.

Please accept, Excellency, the assurances of my highest consideration.

AUGUSTO S. BOYD

Minister

To His Excellency CORDELL HULL,
Secretary of State
of the United States of America,
Washington, D. C.

The Secretary of State (Hull) to the Panamanian Minister (Boyd)

DEPARTMENT OF STATE,

Washington, August 17, 1937.

SIR:

Confirmation of understanding by the United States.

I have the honor to acknowledge the receipt of your note of today's date reading as follows:

"I have the honor to refer to the Department's note of March 17, 1937,¹ and to previous correspondence concerning the reciprocal exemption of vessels of the Republic of Panama and of the United States of America from readmeasurement for tonnage in the ports of the respective countries.

"The Government of Panama adopted the laws and regulations of the United States for the admeasurement of vessels for registry by its Resolution No. 1 of January 5, 1937, establishing tonnage regulations (see *Gaceta Oficial* of Panama of January 8, 1937). This information was duly communicated to Your Excellency in my note No. D-21 of January 22, 1937, and in reply Your Excellency requested to be informed of the views of my Government with regard to a proposed reciprocal arrangement for the acceptance of certificates of registry and the special tonnage appendix in the ports of the two countries.

"On instructions from my Government, I now have the honor to advise you that vessels of the United States carrying certificates of registry or other national papers showing their net tonnage measurements and issued in accordance with the laws and regulations of the United States shall be exempted from readmeasurement in all ports of the Republic of Panama, provided that vessels of Panamanian registry which have been measured in accordance with the aforesaid resolution and which carry certificates of registry or other national papers showing their net tonnage measurements as thus ascertained shall be reciprocally exempted from readmeasurement in all ports of the United States.

"It is further understood that passenger vessels of Panama and of the United States shall carry a Special Tonnage Appendix to each of their registers showing all passenger spaces not now required by the laws of the United States to be measured for registry, for use in determining port dues and other charges based on the net tonnage of vessels.

"I have the honor to request that Your Excellency be good enough to confirm the understanding set forth herein."

¹ Not printed.

In reply I have the honor on behalf of the Government of the United States to confirm the understanding set forth in your note. Accept, Sir, the renewed assurances of my highest consideration.

For the Secretary of State:

SUMNER WELLES

The Honorable

Señor Dr. Don AUGUSTO S. BOYD,

Minister of Panama.

March 12, 1937
August 10, 1937

*Parcel post agreement between the United States of America and Rumania.
Signed at București (Bucharest), March 12, 1937, at Washington,
August 10, 1937; approved by the President, August 20, 1937.*

I. Arrangement
entre
l'Administration des Postes des Etats-Unis d'Amérique
et
l'Administration des Postes de Roumanie,
concernant
l'Echange des Colis Postaux.

I. Agreement
between
the United States Post Office Department
and
the Rumanian Postal Administration con-
cerning
the Exchange of Parcel Post.

I. Arrangement
entre
l'Administration des Postes des
Etats-Unis d'Amérique
et
l'Administration des Postes
de Roumanie
concernant
l'Echange des Colis Postaux.

I. Agreement
between
the United States Post Office
Department and
the Rumanian Postal Administration
concerning the
Exchange of Parcel Post.

Parcel post agree-
ment with Rumania

Les soussignés, munis des pleins-
pouvoirs de leurs Gouvernements
respectifs ont, d'un commun
accord et sous réserve de ratifica-
tion par l'Autorité supérieure com-
pétente, arrêté l'Arrangement sui-
vant:

The undersigned, provided with
full powers by their respective
Governments, have, by common
consent and subject to ratification
by the competent superior author-
ities, drawn up the following
Agreement:

ART. 1.

ART. 1.

Object.

Objet de l'Arrangement.

Object of the Agreement.

Territory embraced.

1. Entre les Etats-Unis d'Amé-
rique (y compris l'Alaska, Puerto
Rico, les Iles Vierges, Guam,

1. Between the United States of
America (including Alaska, Puerto
Rico, the Virgin Islands, Guam,

Samoa et Hawaï) d'une part, et la Roumanie d'autre part, il peut être échangé, sous la dénomination de colis postaux, des envois jusqu'à concurrence de 22 livres (10 kilograms). Dans la direction Etats-Unis d'Amérique-Roumanie, ces colis ne doivent pas dépasser les dimensions suivantes:

Longueur maximum de 4 pieds (120 centimètres), à condition que les colis de plus de 42 pouces (105 centimètres) mais ne dépassant pas 44 pouces (110 centimètres) de longueur, n'excèdent pas 24 pouces (60 centimètres) de pourtour; les colis de plus de 44 pouces (110 centimètres), mais ne dépassant pas 46 pouces (115 centimètres) de longueur, n'excèdent pas 20 pouces (50 centimètres) de pourtour; les colis dépassant 46 pouces (115 centimètres) jusqu'à 4 pieds (120 centimètres) de longueur, n'excèdent pas 16 pouces (40 centimètres) de pourtour; les colis jusqu'à 3½ pieds (105 centimètres) de longueur n'excèdent pas 6 pieds de longueur et pourtour ensemble.

2. La manière de voir du bureau expéditeur, en ce qui concerne le calcul exact du poids et des dimensions, doit être considérée comme prévalant, sauf erreur évidente.

Samoa, and Hawaii) on one hand, and Rumania on the other hand, there may be exchanged, under the denomination of parcel post, parcels up to the weight limit of 22 pounds, (10 kilograms), and the following maximum dimensions:

Greatest length 4 feet (120 centimeters) on condition that parcels over 42 inches (105 centimeters) but not over 44 inches (110 centimeters) long do not exceed 24 inches (60 centimeters) in girth; that parcels over 44 inches (110 centimeters) but not over 46 inches (115 centimeters) long do not exceed 20 inches (50 centimeters) in girth; that parcels over 46 inches (115 centimeters) but not over 4 feet (120 centimeters) long do not exceed 16 inches (40 centimeters) in girth; and that parcels up to 3½ feet (105 centimeters) in length do not exceed 6 feet (180 centimeters) in length and girth combined.

2. The viewpoint of the dispatching office in regard to the exact calculation of the weight and dimensions must be considered as prevailing, except in case of obvious error.

Weight limit.

Size limit.

ART. 2.

Liberté de transit.

1. Chaque Administration garantit la liberté de transit sur son territoire, dans les relations avec les pays avec lesquels elle entretient un échange de colis, pour tout colis originaire ou à destination de l'autre Administration contractante.

2. Les Administrations se notifient la nomenclature des pays à destination desquels elles acceptent des colis en transit.

3. Pour être acceptés au transit, les colis doivent être conformes aux prescriptions du pays intermédiaire.

ART. 2.

Liberty of Transit.

1. Each Administration guarantees liberty of transit over its territory, in relations with countries with which it maintains an exchange of parcels, for every parcel originating in or destined for the other contracting Administration.

2. The Administrations notify each other as to the countries of destination for which they accept parcels in transit.

3. To be accepted in transit, parcels must be in conformity with the provisions of the intermediate country.

Liberty of transit.

ART. 3.

ART. 3.

Postage, etc.

*Affranchissement. Taxes.**Postage and Other Charges.*

Collection from sender

1. L'Administration du pays d'origine est autorisée à percevoir sur l'expéditeur de chaque colis, suivant les prescriptions en vigueur dans son service, les taxes de transport, les taxes à la valeur, ainsi que les droits pour les avis de réception et les recherches.

1. The Administration of the country of origin is authorized to collect from the sender of each parcel, in accordance with the provisions in force in its service, the postage charges and insurance fees, as well as the fees for return receipts and inquiries.

Prepayment

2. Les taxes et droits prévus au paragraphe 1 doivent être payés d'avance sauf en cas de réexpédition ou de renvoi des colis.

2. The charges and fees provided for in Section 1 must be paid in advance, save in case of reforwarding or return of parcels.

No other charge to be collected

3. Il ne peut être perçu aucun droit et aucune taxe autres que ceux prévus par le présent Arrangement ou par son Règlement d'Exécution.

3. No fee or postage charge other than those provided for by the present Agreement or its Regulations of Execution may be collected.

ART. 4.

ART. 4.

Preparation of parcels

*Conditionnement des Colis.**Preparation of Parcels.*

Packing

Chaque colis doit être emballé d'une manière que répond à la durée du transport et qui préserve le contenu, ainsi qu'il est prescrit par le Règlement d'Exécution.

Every parcel shall be packed in a manner adequate for the length of the journey and the protection of the contents as set forth in the Regulations of Execution.

ART. 5.

ART. 5.

Prohibitions

*Interdictions.**Prohibitions.*

Forbidden inclosures

1. Il est interdit d'insérer dans les colis postaux:

1. It is forbidden to inclose in parcels:

Letters, etc

a) des communications ou des notes ayant le caractère de lettres. Il est cependant permis d'insérer dans l'envoi la facture ouverte réduite à ses énonciations constitutives, de même qu'une simple copie de l'adresse du colis, avec mention de l'adresse de l'expéditeur.

a) communications or notes having the character of letters. It is permissible, however, to enclose in the parcel the open invoice reduced to its essential features, as well as a simple copy of the address of the parcel with mention of the address of the sender.

Article bearing different address

b) un objet portant une adresse autre que celle du destinataire de l'envoi;

b) an article bearing an address other than that of the addressee of the parcel.

Live animals.

c) des animaux vivants, à l'exception des sangsues;

c) live animals except leeches.

Articles, admission forbidden by law.

d) des objets dont l'admission est interdite par les lois ou règlements de douane ou autres de l'un ou l'autre des pays;

d) articles whose admission is forbidden by the customs or other laws or regulations of either country.

Explosive, etc., articles.

e) des matières explosibles ou inflammables, et, d'une manière générale, des objets dont le transport est dangereux; y compris les objets qui, par leur nature ou par

e) explosive or inflammable articles, and, in general, all articles whose transportation is dangerous, including articles which from their nature or packing may be

leur emballage, peuvent constituer une source de danger pour les employés de la poste, ou salir ou endommager des autres colis.

f) les objets obscènes ou immoraux.

g) en outre, la transmission des pièces de monnaie, du platine, de l'or ou de l'argent, fabriqué ou non, des pierres précieuses, des bijoux, ou d'autres objets précieux est interdite dans les colis pas assurés.

2. Si des colis tombant sous l'une de ces interdictions ont été admis à tort à l'expédition, l'Administration qui en fait la constatation les traite suivant sa législation et ses règlements intérieurs.

Les matières explosives ou inflammables, ainsi que les documents, portraits, ou autres objets portant atteints aux bonnes mœurs du public, peuvent être détruites sur place par l'Administration qui les a trouvées dans les courriers.

Le fait qu'un colis contient une lettre ou une communication ayant le caractère d'une lettre ne peut en aucun cas entraîner le retour à l'expéditeur d'un colis. La lettre est toutefois taxée en vue de la perception du destinataire de l'affranchissement dû, selon le tarif régulier.

3. Les deux Administrations se communiquent, au moyen de la "Liste des Objets Interdits" publiée par le Bureau International de l'Union Postale Universelle, la nomenclature de tous les objets interdits. Toutefois, elles n'assument de ce chef aucune responsabilité envers les organes de la douane ou de la police ou envers l'expéditeur.

a source of danger to postal employees, or may soil or damage other parcels.

f) obscene or immoral articles.

g) it is moreover, forbidden to send coin, platinum, gold, or silver, (whether manufactured or unmanufactured) precious stones, jewels or other precious articles in uninsured parcels.

2. If parcels coming under one of these prohibitions have been wrongly accepted for mailing, the Administration detecting them treats them in accordance with its domestic laws and regulations.

Explosive or inflammable articles, as well as documents, pictures or other articles injurious to public morals, may be destroyed on the spot by the Administration which has found them in the mails.

The fact that a parcel contains a letter or a communication having the nature of a letter may not in any case entail the return of the parcel to the sender. The letter is, however, marked for the collection of postage due from the addressee at the regular rate.

3. The two Administrations advise each other, by means of the List of Prohibited Articles published by the International Bureau of the Universal Postal Union, of all prohibited articles. However, they do not assume, on that account, any responsibility toward the customs or police authorities or the sender.

Obscene, etc., articles

Designated articles in uninsured parcels.

Treatment of wrongly accepted parcels.

Explosives, etc.

Parcel containing a letter

List of prohibited articles to be published

Limitation

ART. 6.

Assurance.

Les colis peuvent être assurés jusqu'au montant de 500 francs-or ou l'équivalent en monnaie du pays d'origine. Cependant, les Chefs des Administrations Postales des deux pays contractants

ART. 6.

Insurance.

Parcels may be insured up to the amount of 500 gold francs or its equivalent in the currency of the country of origin. However, the Chiefs of the Postal Administrations of the two contracting

Insurance.

Maximum amount.

peuvent, d'un commun accord, augmenter ou diminuer ce montant maximum d'assurance.

Limitation.

Un colis ne peut donner lieu au paiement d'une indemnité supérieure à la valeur réelle de son contenu, mais il est loisible de l'assurer pour une partie de cette valeur seulement.

countries may, by mutual consent, increase or decrease this maximum amount of insurance.

A parcel cannot give rise to the payment of an indemnity higher than the actual value of its contents, but it is permissible to insure it for only part of that value.

ART. 7.

ART. 7.

Responsibility, etc

Responsabilité. Indemnité.

Responsibility. Indemnity.

Not accepted for ordinary parcels.

1. Les Administrations Postales des deux pays contractants ne seront pas responsables de la perte, de l'abstraction ou du dommage d'un colis ordinaire; mais l'une ou l'autre des Administrations est libre de payer indemnité pour la perte, l'abstraction ou le dommage qui ait eu lieu dans son service, sans recours contre l'autre Administration.

1. The Postal Administrations of the two contracting countries will not be responsible for the loss, abstraction or damage of an ordinary parcel; but either Administration is at liberty to pay indemnity for the loss, abstraction or damage which may occur in its service, without recourse to the other Administration.

Indemnity for insured parcels.

Sauf dans les cas mentionnés au paragraphe suivant, les Administrations sont responsables de la perte des colis assurés déposés dans l'un des deux pays contractants pour être livrés dans l'autre, et pour la perte, l'abstraction ou le dommage de leur contenu ou une partie de tel contenu. L'expéditeur ou un autre ayant-droit a le droit, de ce chef, à une indemnité qui corresponde au montant réel de la perte, de l'abstraction ou du dommage. Le montant de l'indemnité est calculé sur la base de la valeur réelle (le prix courant, ou, à son défaut, la valeur ordinaire appréciée) au lieu et à l'époque où le colis a été accepté au transport; pourvu que l'indemnité ne puisse en aucun cas être supérieure à la somme pour laquelle le colis a été assuré, sur laquelle la taxe à la valeur a été perçue, ni au maximum de 100 dollars (500 francs-or).

Except in the cases mentioned in the Section following, the Administrations are responsible for the loss of insured parcels mailed in one of the two contracting countries for delivery in the other and for the loss, abstraction or damage to their contents, or a part thereof. The sender, or other rightful claimant, in¹ entitled on this account to an indemnity corresponding to the actual amount of the loss, abstraction or damage. The amount of indemnity is calculated on the basis of the actual value (current price, or, in the absence of current price, the ordinary estimated value) at the place where and the time when the parcel was accepted for mailing, provided in any case that the indemnity may not be greater than the amount for which the parcel was insured, and on which the insurance fee has been collected or the maximum amount of \$100 (500 gold francs).

Calculation.

Return of postage on loss of parcel.

Dans le cas où l'indemnité est payable pour la perte d'un colis ou pour la destruction ou abstraction de son contenu entier, l'expéditeur a le droit à la restitution des taxes postales, sur demande. Toutefois, les droits d'assurance ne sont remboursés dans aucun cas.

In the case where indemnity is payable for the loss of a parcel or for the destruction or abstraction of the whole of the contents thereof, the sender is entitled to the return of the postal charges, if claimed. However, the insurance fees are not in any case returned.

¹ So in original

Sauf arrangement spécial contraire entre les pays intéressés, aucune indemnité ne sera payée par l'un ou l'autre des pays pour la perte de colis assurés en transit originaires d'un pays qui ne participe pas à cet Arrangement, à destination de l'un des deux pays contractants.

Lorsqu'un colis avec valeur déclarée provenant d'un pays et destiné à être remis dans l'autre pays est réexpédié de la sur un tiers pays ou y est renvoyé à la demande de l'expéditeur ou du destinataire, l'ayant-droit à l'indemnité, en cas de perte, de spoliation ou d'avarie survenue subséquemment à la réexpédition ou au renvoi du colis par le pays de l'adresse primitive, ne peut prétendre, le cas échéant, qu'à l'indemnité que consent à verser ou-suivant l'entente intervenue entre les pays intéressés directement à la réexpédition ou au renvoi-que doit payer le pays où le fait s'est produit. Chacun des deux pays signataires du présent Arrangement qui réexpédie à tort un colis avec valeur déclarée sur un tiers pays, est responsable envers l'expéditeur dans la même mesure que le pays d'origine, donc dans les limites du présent Arrangement.

2. Les Administrations sont dégagées de toute responsabilité:

a) En cas de colis dont les destinataires ont pris livraison sans réserves.

b) En cas de perte ou d'avarie due à la force majeure; bien que chacune des Administrations puisse, de son gré et sans recours contre l'autre Administration, payer indemnité pour la perte ou l'avarie due à la force majeure, même si l'Administration du pays dans le service duquel la perte ou l'avarie a eu lieu reconnaît que le dommage a été causé par la force majeure.

c) Lorsqu'elles ne sont pas à même de se rendre compte des colis à la suite de la destruction des documents officiels due à la force majeure.

In the absence of special agreement to the contrary between the countries involved, no indemnity will be paid by either country for the loss of transit insured parcels originating in a country not participating in this Agreement and destined for one of the two contracting countries.

When an insured parcel originating in one country and destined to be delivered in the other country is reforwarded from there to a third country or is returned to a third country, at the request of the sender or of the addressee, the party entitled to the indemnity in case of loss, rifling or damage occurring subsequent to the reforwarding or return of the parcel by the original country of destination, can lay claim, in such a case, only to the indemnity which the country where the loss, rifling or damage occurred consents to pay, or which that country is obligated to pay in accordance with the agreement made between the countries directly interested in the reforwarding or return. Either of the two countries signing the present Agreement which wrongly forwards an insured parcel to a third country is responsible to the sender to the same extent as the country of origin, that is, within the limits of the present Agreement.

2. The Administrations are relieved of all responsibility:

a) In case of parcels of which the addressee has accepted delivery without reservation.

b) In case of loss or damage through force majeure (causes beyond control) although either Administration may at its option and without recourse to the other Administration pay indemnity for loss or damage due to force majeure even in cases where the Administration of the country in the service of which the loss or damage occurred recognizes that the damage was due to force majeure.

c) When they are unable to account for parcels in consequence of the destruction of official documents through force majeure.

Insured parcels originating in a third country

Reforwarding to a third country, etc.

Responsibility for error

Exemptions.

Unconditional acceptance.

Loss, etc., through force majeure.

Destruction of official documents.

Damage through fault of sender, addressee, etc	d) Lorsque le dommage s'est produit par la faute ou la négligence de l'expéditeur, du destinataire, ou du représentant de l'un ou l'autre, ou lorsqu'il est dû à la nature de l'envoi.	d) When the damage has been caused by the fault or negligence of the sender or the addressee or the representative of either, or when it is due to the nature of the article.
Prohibited articles.	e) Pour les colis qui contiennent des objets interdits.	e) For parcels which contain prohibited articles.
Declared above real value	f) Au cas où l'expéditeur d'un colis assuré, avec intention frauduleuse, déclare le contenu avec une valeur supérieure à sa valeur réelle; cette règle ne porte préjudice à aucun poursuit judiciaire nécessité par la législation du pays d'origine.	f) In case the sender of an insured parcel, with intent to defraud, shall declare the contents to be above their real value; this rule, however, shall not prejudice any legal proceedings necessitated by the legislation of the country of origin.
Seized, because of false declaration	g) Pour les colis saisis par la douane à la suite d'une fausse déclaration de leur contenu.	g) For parcels seized by the customs because of false declaration of contents.
Unclaimed within a year	h) Lorsqu'une réclamation ou une application d'indemnité n'a pas été présentée par le réclamant ou son agent dans la période d'un an à compter du lendemain du dépôt du colis assuré.	h) When no inquiry or application for indemnity has been made by claimant or his representative within a year commencing with the day following the posting of the insured parcel.
Matter of no intrinsic value, etc	i) Pour les colis qui contiennent des objets sans valeur intrinsèque ou des objets périssables, ou des objets qui ne remplissaient pas les stipulations de cet Arrangement, ou qui n'avaient pas été mis à la poste de la manière prescrite; mais le pays responsable de la perte, la spoliation ou l'avarie pourra payer indemnité du chef de tels colis sans recours contre l'autre Administration.	i) For parcels which contain matter of no intrinsic value or perishable matter or which did not conform to the stipulations of this Agreement or which were not posted in the manner prescribed, but the country responsible for the loss, rifling or damage may pay indemnity in respect of such parcels without recourse to the other Administration.
Indirect damages or loss	3. Il n'est pas payé d'indemnité pour les dommages indirects ou les bénéfices non réalisés résultant de la perte, de la spoliation, de l'avarie, de la nonlivraison, de la remise à une fausse adresse ou du retard d'un colis assuré expédié d'après les conditions du présent Arrangement.	3. No indemnity is paid for indirect damages or loss of profits resulting from the loss, rifling, damage, non-delivery, mis-delivery or delay of an insured parcel dispatched in accordance with the conditions of the present Agreement.
Prompt payment of compensation	4. Le paiement de l'indemnité pour un colis assuré sera effectué à l'ayant-droit aussitôt que possible, et au plus tard dans le délai d'un an à compter du lendemain du jour où la réclamation est présentée.	4. The payment of compensation for an insured parcel shall be made to the rightful claimant as soon as possible and at the latest within a period of one year counting from the day following that on which the application is made.
Deferred payment.	Toutefois, l'Administration postale payeuse peut exceptionnellement différer le paiement de l'indemnité pour une période plus longue que celle stipulée si, à l'expiration dudit délai, elle n'a pu	However, the paying Postal Administration may exceptionally defer payment of indemnity for a longer period than that stipulated if, at the expiration of that period, it has not been able to determine

établir le sort de l'objet dont il s'agit ni la responsabilité encourue.

5. Sauf les cas où le paiement est exceptionnellement différé en conformité avec le deuxième alinéa du paragraphe précédent, l'Administration postale qui se charge du paiement de la compensation est autorisée à payer l'indemnité pour le compte de l'Office qui, ayant été dûment notifié de la demande d'indemnité, a laissé s'écouler neuf mois sans donner de solution à l'affaire.

6. L'obligation de payer l'indemnité incombe à l'Administration postale dont dépend le bureau d'origine, pourvu qu'au cas où l'indemnité est payée au destinataire selon le premier alinéa du paragraphe 1, elle incombe à l'Administration postale de destination.

L'Administration payeuse se réserve le droit de soumettre une demande de remboursement à l'Administration responsable.

Par le fait du paiement de l'indemnité, et jusqu'à concurrence du montant de telle indemnité, l'Administration responsable est subrogée dans les droits de la personne qui l'a reçue, pour tout recours éventuel, soit contre le destinataire, soit contre l'expéditeur ou contre des tiers.

Cependant, si des colis considérés comme perdus sont retrouvés, totalement ou partiellement, la personne à qui l'indemnité a été payée sera avisée qu'elle peut reprendre possession de l'envoi contre restitution du montant de l'indemnité qui lui a été payée.

7. Jusqu'à preuve du contraire, la responsabilité pour un colis assuré incombe à l'Administration qui, ayant reçu le colis sans formuler de réserves et étant mis en possession de tous les moyens réglementaires d'investigation, ne peut établir le sort du colis.

8. Lorsque la perte, la spoliation ou l'avarie d'un colis avec valeur déclarée est constatée lors de l'ouverture du récipient par le

the disposition made of the article in question or the responsibility incurred.

5. Except in cases where payment is exceptionally deferred as provided in the second paragraph of the foregoing section, the Postal Administration which undertakes the payment of compensation is authorized to pay indemnity on behalf of the Office, which, after being duly informed, of the application for indemnity, has let nine months pass without settling the matter.

6. The obligation of paying the indemnity shall rest with the Postal Administration to which the mailing office is subordinate, provided that in cases where the indemnity is paid to the addressee in accordance with the second paragraph of Section 1, it shall rest with the Postal Administration of destination.

The paying Administration retains the right to make a claim against the Administration responsible.

By the fact of the payment of the indemnity, and up to the amount of such indemnity, the responsible Administration is subrogated to the rights of the person who has received the indemnity for all eventual recourse against either the addressee, the sender or third parties.

However, if parcels considered as lost are subsequently found again, in whole or in part, the person to whom the indemnity has been paid will be informed that he may regain possession of the recovered article by repaying the amount of the indemnity which has been paid to him.

7. Until the contrary is proved, responsibility for an insured parcel rests with the Administration which, having received the parcel without making any reservations, and being put in possession of all the regulation means of investigation, can not establish the disposition of the parcel.

8. When the loss, rifling or damage of an insured parcel is detected upon opening the receptacle at the receiving exchange

Payment where indemnity delayed nine months.

Country responsible.

Qualification

Ante, p 1634.

Claim for repayment

Subrogation of responsible administration

Lost parcels subsequently found.

Responsibility of receiving office unable to show disposition.

Dispatching office responsible if loss discovered by receiving office.

- bureau d'échange réceptionnaire et a été signalée régulièrement au bureau d'échange expéditeur, la responsabilité incombe à l'Administration dont dépend ce dernier bureau, à moins qu'il ne soit prouvé que le fait s'est accompli sur le territoire de l'Administration réceptionnaire.
- office and has been regularly pointed out to the dispatching exchange office, the responsibility falls on the Administration to which the latter office belongs, unless it be proved that the irregularity occurred on the territory of the receiving Administration.
- Exception.** 9. Si la perte, la spoliation ou l'avarie s'est produite en cours de transport sans qu'il soit possible d'établir sur le territoire ou dans le service de quel pays le fait s'est accompli, les Offices en cause supportent le dommage par parts égales.
9. If the loss, rifling or damage has taken place in the course of transportation, without its being possible to establish on the territory or in the service of which country the act took place, the Offices involved bear the loss in equal shares.
- Loss, etc., in transit.** 10. Le pays responsable de la perte, de la spoliation ou de l'avarie et pour le compte duquel le paiement est effectué, est tenu de rembourser le montant de l'indemnité au pays ayant effectué le paiement. Ce remboursement doit avoir lieu sans retard et, au plus tard, dans le délai de 9 mois après notification du paiement.
10. The country responsible for the loss, rifling or damage, and on whose account the payment is effected, is bound to repay the amount of the indemnity to the country which has effected the payment. This reimbursement must take place without delay, and at the latest within the period of 9 months after notification of payment.
- Repayment to country paying**
- Without expense.** 11. Ces remboursements au pays créateur doivent être effectués sans frais pour cet Office, soit par mandat de poste, soit par traite, en monnaie ayant cours dans le pays créateur ou par tout autre procédé à convenir mutuellement par voie de correspondance.
11. These repayments to the creditor country must be made without expense for that Office, by money order or draft, in money valid in the creditor country or in any other way to be agreed upon mutually by correspondence.
- Reimbursement on gold basis.** 12. Le remboursement des indemnités doit s'effectuer sur la base de la monnaie-or.
12. The reimbursement of the indemnities must be effected on the basis of gold money.
- Loss, etc., of parcel in transit destined for third country.** 13. Sauf entente contraire entre les pays intéressés, entente qui peut intervenir par voie de correspondance, aucune indemnité ne sera payée pour la perte, la spoliation ou l'avarie de colis avec valeur déclarée en transit, c'est-à-dire pour des colis avec valeur déclarée originaires de l'un des deux pays ne participant pas au présent Arrangement, ou pour des colis originaires d'un pays ne participant pas à cet Arrangement à destination de l'un des deux pays contractants.
13. Barring contrary agreement between the countries concerned, which agreement may be made by correspondence, no indemnity will be paid for the loss, rifling or damage of an insured parcel in transit, i. e., for insured parcels originating in one of the two contracting countries and destined for countries not participating in the present Agreement, or for parcels originating in a country not participating in this Agreement and destined for one of the two contracting countries.
- Responsibility for proper packing, etc.** 14. L'expéditeur est responsable des défauts de l'emballage et de l'insuffisance de la fermeture et des cachets des colis avec valeur
14. The sender is responsible for defects in the packing and insufficiency in the closing and the seals of insured parcels. Moreover, the

déclarée. D'autre part, les deux Administrations sont dégagées de toute responsabilité en cas de perte, de spoliation ou d'avarie causée par des défauts non remarqués au moment du dépôt.

two Administrations are released from all responsibility in case of loss, rifling or damage caused by defects not noticed at the time of mailing.

ART. 8.

ART. 8.

Certificat de Dépôt. Récépissés.

Certificate of Mailing. Receipts.

Certificate of mailing.

Furnished sender on request

Charge.

Receipt.

Sur demande, l'expéditeur d'un colis ordinaire peut obtenir un certificat au moment du dépôt du colis. Chaque pays a le droit de percevoir une taxe raisonnable pour tel certificat.

On request, the sender of an ordinary parcel may obtain a certificate at the time of mailing the parcel. Each country has the right to collect a reasonable fee therefor.

L'expéditeur d'un colis avec valeur déclarée recevra, sans charge, au moment de dépôt, un récépissé y relatif.

The sender of an insured parcel receives without charge, at the time of posting, a receipt for his parcel.

ART. 9.

ART. 9.

Avis de Réception et Feuille de Recherches.

Return Receipts and Inquiries.

Return receipts and inquiries

Fee.

Inquiry charge.

Inquiry relative to irregularity.

1. L'expéditeur d'un colis avec valeur déclarée peut obtenir un avis de réception contre paiement du droit prévu dans le pays d'origine, et dans les conditions établies par le Règlement.

1. The sender of an insured parcel may obtain a return receipt upon payment of the fee provided for in the country of origin, and under the conditions laid down in the Regulations.

2. Un droit, que l'Administration d'origine fixe à sa convenance, peut être perçu pour toute réclamation présentée après l'expédition soit d'un colis ordinaire, soit d'un colis avec valeur déclarée, à moins que l'expéditeur n'ait déjà acquitté le droit spécial pour un avis de réception.

2. A charge, which the Administration of origin fixes at its convenience, may be collected for every inquiry presented after mailing an ordinary or insured parcel, unless the sender has already paid the special fee for a return receipt.

Le pays d'origine a également la faculté de percevoir un droit lorsqu'il s'agit de redresser une irrégularité qui n'est pas imputable à la poste.

The country of origin also has the option of collecting a fee when it is a question of correcting an irregularity which is not the fault of the postal service.

ART. 10.

ART. 10.

Retrait et modification d'adresse.

Recall and Change of Address.

Recall and change of address.

Tant qu'un colis n'a pas été remis au destinataire, l'expéditeur peut le retirer ou faire modifier l'adresse. L'Administration postale du pays d'origine peut percevoir et retenir, pour ce service, le droit fixé par ses règlements. Les demandes de retrait ou de

So long as a parcel has not been delivered to the addressee, the sender may recall it or cause its address to be changed. The Postal Administration of the country of origin may collect and retain, for this service, the charge fixed by its regulations. The requests

modification d'adresse des colis à destination des Etats-Unis, seront adressés à l'Administration centrale à Washington; ceux qui se rapportent aux colis à destination de la Roumanie seront adressées à l'Administration centrale à Bucureşti.

ART. 11.

Droits de Douane.

Customs duties

1. Les colis sont soumis à toutes les prescriptions et dispositions douanières en vigueur dans le pays de destination. Les droits exigibles de ce chef sont perçus sur le destinataire lors de la remise du colis, suivant le règlement des douanes.

2. Les Administrations peuvent s'entendre spécialement par voie de correspondance pour l'échange de colis avec bulletin d'affranchissement.

ART. 12.

Annulations des Droits de Douane.

Cancellation of customs duties

Si les formalités exigées par l'autorité douanière ont été remplies, les droits de douane proprement dits sont annulés, en Roumanie et aux Etats-Unis d'Amérique, sur les colis renvoyés à l'origine ou réexpédiés sur un tiers pays.

ART. 13.

Droits de dédouanement, de factage et de magasinage.

Customs-clearance and delivery charges

1. L'Administration du pays de destination peut percevoir sur le destinataire, pour l'accomplissement des formalités en douane et la remise à domicile, un droit qui ne peut excéder 100 centimes-or par colis, ainsi qu'un droit supplémentaire jusqu'à concurrence de 50 centimes-or par colis pour chaque nouvelle présentation, lorsque la première présentation est restée infructueuse.

Storage charge

2. Chaque Administration est autorisée à percevoir un droit de magasinage convenable pour les colis adressés "Poste Restante" ou pour ceux qui ne sont pas

for recall or change of address of parcels to be delivered in the United States of America shall be addressed to the Central Administration at Washington; those relating to parcels for delivery in Rumania shall be addressed to the Central Administration at Bucureşti.

ART. 11.

Customs Duties.

1. The parcels are subject to all customs laws and regulations in force in the country of destination. The duties collectible on that account are collected from the addressee on delivery of the parcel, in accordance with the customs regulations.

2. The Administrations may come to a special agreement, by way of correspondence, for the exchange of parcels with prepayment bulletins.

ART. 12.

Cancellation of Customs Duties.

If the formalities required by the customs authorities have been fulfilled, the customs duties properly so-called are canceled, both in Rumania and the United States of America, on parcels returned to origin or reforwarded to a third country.

ART. 13.

Customs-Clearance, Delivery and Storage Charges.

1. The Administration of the country of destination may collect from the addressee, for the fulfillment of customs formalities and delivery at his residence, a charge not exceeding 100 gold centimes per parcel, as well as a supplementary charge of 50 gold centimes per parcel for each new presentation when the first presentation has been unsuccessful.

2. Each Administration is authorized to collect a suitable storage charge for parcels addressed "Poste Restante" or which are not withdrawn within the

retirés dans le délai qu'elle a fixé. Ce droit ne peut toutefois excéder 5 francs-or par colis.

period which it has fixed. This charge may not, however, exceed 5 gold francs per parcel.

ART. 14.

Colis envoyés en fausse direction.

Les colis ordinaires envoyés en fausse direction sont réexpédiés sur leur véritable destination par la voie la plus directe dont peut disposer l'Administration réexpéditrice. Ils ne peuvent pas être frappés de droits de douane ou autres par cette Administration. Les colis avec valeur déclarée envoyés en fausse direction ne peuvent être réexpédiés que comme tels sur leur destination. En cas d'impossibilité, ils sont renvoyés à l'origine.

Lorsque la réexpédition entraîne le retour du colis au bureau d'origine, l'Administration réexpéditrice rembourse audit bureau les bonifications reçues et signale l'erreur par un Bulletin de Vérification.

Quand la réexpédition entraîne l'acheminement d'un colis à un pays tiers, et si le montant crédité à l'Administration réexpéditrice est insuffisant pour couvrir les frais de la réexpédition qu'elle doit payer, l'Administration réexpéditrice alloue à l'Administration sur laquelle elle réexpédie le colis les bonifications qui sont dues à celle-ci; ensuite elle recouvre le montant de l'insuffisance en le réclamant du bureau d'échange duquel le colis en fausse direction a été reçu. La raison de cette réclamation est notifiée audit bureau d'échange au moyen d'un bulletin de vérification.

ART. 15.

Réexpédition.

1. Un colis peut être réexpédié à la suite du changement d'adresse du destinataire dans le pays de destination, sur la demande soit de l'expéditeur soit du destinataire.

La réexpédition d'un colis dans l'intérieur d'un des pays contractants donne lieu à la perception des taxes supplémentaires

ART. 14.

Missent Parcels.

Ordinary parcels when missent are reforwarded to their correct destination by the most direct route at the disposal of the reforwarding Administration. They must not be charged with customs or other charges by that Administration. Insured parcels, when missent, may not be reforwarded to their destination except as such. If this is impossible, they are returned to origin.

When the reforwarding involves the return of the parcel to the office of origin, the retransmitting Administration refunds to that office the credits received and reports the error by a Bulletin of Verification.

When the reforwarding involves the dispatch of a parcel to a third country and if the amount credited to the retransmitting Administration is insufficient to cover the expenses of retransmission which it has to defray, the retransmitting Administration allows to the Administration to which it forwards the parcel the credits due it; it then recovers the amount of the deficiency by claiming it from the office of exchange from which the missent parcel was directly received. The reason for this claim is notified to the latter by means of a Bulletin of Verification.

ART. 15.

Forwarding.

1. A parcel may be redirected in consequence of the addressee's¹ change of address in the country of destination, at the request of either the sender or the addressee.

The reforwarding of a parcel within one of the contracting countries gives rise to the collection of the supplementary charges

Missent parcels.

Ordinary parcels.

Insured parcels.

Refund, if parcel returned

Reforwarding to a third country

Forwarding

Redirection.

Charges.

¹ So in original.

prévues par l'Administration de ce pays. Il en est de même, le cas échéant, en ce qui concerne la remise de ce colis à une autre personne au lieu de destination primitif. Ces taxes ne seront pas annulées, même au cas où le colis est renvoyé à l'origine ou réexpédié sur un autre pays.

Postage charges, etc.

2. Si un colis soit être réexpédié sur un des deux pays signataires du présent Arrangement, il est passible des nouvelles taxes de transport, et, le cas échéant, de la taxe à la valeur, à moins que ces taxes n'aient pas été payées d'avance. Les nouveaux droits sont perçus sur le destinataire par l'Administration qui effectue la remise. Les colis avec valeur déclarée doivent être réexpédiés comme tels.

Parcels reforwarded or returned to another country.

3. Sur demande de l'expéditeur ou du destinataire, les colis peuvent aussi être réexpédiés sur un autre pays ou y être renvoyés. Les colis avec valeur déclarée ne peuvent cependant être réexpédiés ou renvoyés que comme tels. Les expéditeurs peuvent revêtir les colis de la mention "Ne pas réexpédier sur un tiers pays." Dans ce cas, les colis ne doivent être réexpédiés sur aucun autre pays. En cas de perte, despoliation ou d'avarie d'un colis avec valeur déclarée réexpédié sur un tiers pays ou renvoyé par ce pays, l'indemnité est déterminée exclusivement d'après les dispositions de l'Article 7, Paragraphe 1; 5^{ème} alinéa, du présent Arrangement.

provided for by the Administration of that country. The same is true, if occasion arises, in regard to the delivery of such parcel to another person at the original place of destination. These charges shall not be cancelled even in case the parcel is returned to origin or reforwarded to another country.

2. If a parcel must be reforwarded to one of the two countries signatory to the present Agreement, it is liable to new postage charges, and, if occasion arises, new insurance fees, unless such charges and fees have been paid in advance. The new fees are collected from the addressee by the Administration effecting the delivery. Insured parcels must be reforwarded as such.

3. At the request of the sender or addressee, parcels may also be reforwarded or returned to another country. Insured parcels may not, however, be reforwarded or returned except as such. The senders may mark the parcels: "Do not forward to a third country." In that case the parcels must not be reforwarded to any other country. In case of loss, rifling or damage of an insured parcel reforwarded to another country, or returned by that country, the indemnity is decided upon exclusively in accordance with the provisions of Article 7, Section 1, 5th paragraph.

ART. 16.

Non-delivery

Non-Livraison.

Returned to sender, new charges, etc.

1. Les colis tombés en rebut, renvoyés à l'expéditeur, sont passibles des nouveaux frais de transport, ainsi que, le cas échéant, de la taxe à la valeur, et sont renvoyés comme colis de la même catégorie qu'à l'aller. Les taxes sont exigibles de l'expéditeur et perçues par l'Administration qui lui rend les colis.

Treatment, in case of non-delivery.

2. Au moment du dépôt, l'expéditeur peut demander, pour le cas de non-remise:

ART. 16.

Non-Delivery.

1. Undeliverable parcels returned to the sender are liable to new postage charges as well as insurance fees if necessary, and are returned as parcels of the same class in which they were received. The charges are collectible from the sender, and are collected by the Administration delivering the parcels to him.

2. At the time of mailing, the sender may request, in the event of non-delivery:

a) que le colis lui soit immédiatement renvoyé,

b) qu'il soit considéré comme abandonné,

c) qu'il soit remis à une autre personne dans le pays de destination.

Si l'expéditeur use de cette faculté, il doit revêtir le colis et le bulletin d'expédition d'une des mentions suivantes:

"En cas de non-remise, le colis doit être renvoyé immédiatement";

"En cas de non-remise, le colis doit être considéré comme abandonné";

"En cas de non-remise, le colis doit être délivré à-----".

Aucune mention autre que celles prévues ci-dessus n'est admise.

3. Sauf disposition contraire, les colis tombés en rebut sont renvoyés à l'origine sans avis préalable 30 jours après leur arrivée au bureau de destination. Les colis que le destinataire refuse d'accepter doivent être renvoyés immédiatement. Dans tous les cas le motif de la non-remise doit être indiqué sur le colis ainsi que sur le bulletin d'expédition.

4. Les colis sujets à détérioration ou à corruption peuvent être vendus immédiatement, même en route, à l'aller ou au retour, sans avis préalable, et sans formalité judiciaire, au profit de qui de droit.

Si, pour une cause quelconque, la vente est impossible, les objets détériorés ou corrompus sont détruits. La vente ou la destruction donne lieu à l'établissement d'un procès-verbal qui est envoyé à l'Administration d'origine.

5. Les colis tombés en rebut dont l'expéditeur a fait abandon, peuvent, à l'expiration du délai de 30 jours, être vendus au profit de l'Administration du pays de destination. Toutefois, s'il s'agit d'un colis avec valeur déclarée, il est dressé un procès-verbal qui doit être envoyé à l'Administration du pays d'origine. De même, l'administration du pays d'origine doit être avisée, lorsqu'un colis avec valeur déclarée tombé en rebut, n'est pas renvoyé à l'origine.

a) that the parcel be returned to him immediately,

b) that it be considered as abandoned; or,

c) that it be delivered to another person in the country of destination.

If the sender makes use of this option, he must mark the parcel and the dispatch note with one of the following notes:

"In case of non-delivery, the parcel should be returned immediately";

"In case of non-delivery, the parcel should be considered as abandoned";

"In case of non-delivery, the parcel should be delivered to---".

No note other than those provided for above is permitted.

3. Barring contrary instructions, undeliverable parcels are returned to origin, without previous notification, 30 days after their arrival at the office of destination. Parcels which the addressee refuses to accept shall be returned immediately. In all cases, the reason for non-delivery must be indicated on the parcel.

4. Parcels liable to deterioration or corruption may be sold immediately, even enroute on the outward or return voyage, without previous notice and without judicial formality, for the profit of the rightful party.

If, for any reason, sale is impossible, the deteriorated or corrupted articles are destroyed. The sale or destruction gives rise to the making of a report which is sent to the Administration of origin.

5. Undeliverable parcels which the sender has abandoned may, at the expiration of a 30-day period, be sold for the profit of the Administration of the country of destination. However, in the case of an insured parcel, a report is made up, which must be sent to the Administration of the country of origin. Likewise, the Administration of the country of origin must be advised when an insured parcel which is undeliverable is not returned to origin.

Restriction

Undeliverable parcels

Parcels liable to deterioration.

Abandoned parcels.

Provisions governing non-deliverable parcels.

6. Les stipulations de l'Art. 17 paragraphe 3, s'appliqueront à un colis qui est retourné à la suite de non-livraison.

6. The provisions of Art. 17, Section 3, shall be applied to a parcel which is returned in consequence of non-delivery.

ART. 17.

ART. 17.

Charges.

Bonification des taxes.

Charges.

Credits.

1. Pour chaque colis échangé entre les pays contractants, l'Office expéditeur bonifie à l'Office destinataire les quotes-parts revenant à ce dernier, et indiquées dans le Règlement d'Exécution.

1. For each parcel exchanged between the contracting countries, the dispatching Office credits to the Office of destination the quotas due to the latter, and indicated in the Regulations of Execution.

Parcels destined for a third country, etc.

2. Les sommes à bonifier pour un colis en transit, c'est-à-dire, à destination soit d'une possession, soit d'un tiers pays, sont indiquées de même dans le Règlement d'Exécution.

2. The sums to be paid for a parcel in transit, that is, destined either for a possession or for a third country, are likewise indicated in the Regulations of Execution.

Reforwarding or return to origin

3. En cas de réexpédition ou retour à l'origine d'un colis, si des nouvelles taxes d'affranchissement, et, s'il s'agit de colis assurés, des nouveaux droits d'assurance, sont perçus par l'Office réexpéditeur, le colis est traité comme s'il avait origine dans ce pays. Autrement, l'Office réexpéditeur recouvre de l'autre Office la quote-part qui lui est due, c'est-à-dire, suivant le cas:

3. In case of reforwarding or return to origin of a parcel, if new postage and new insurance fees (in the case of insured parcels) are collected by the redispaching Office, the parcel is treated as if it had originated in that country. Otherwise, the redispaching Office recovers from the other Office the quota due to it, namely, as the case may be:

a) les taxes prescrites par le paragraphe 1 ci-dessus;

a) the charges prescribed by Section 1 above;

b) les taxes de réexpédition ou retour;

b) the charges for reforwarding or return;

c) les droits de dédouanement de remise et de magasinage prévus à l'Article 13;

c) the customs clearance, delivery and storage charges provided for by Article 13;

d) les taxes non-postales qui ne peuvent pas être annulées.

d) the non-postal charges whose cancellation cannot be obtained.

Reforwarding or return to third country

En cas de réexpédition ou retour à un tiers pays, les frais totaux, à savoir, celles des taxes mentionnées sous (a), (b), (c) et (d) ci-dessus qui sont applicables, suivront le colis, mais au cas où le pays tiers intéressé refuse d'assumer les frais parce qu'ils ne peuvent être perçus du destinataire ou de l'expéditeur, suivant le cas, ou pour une autre raison quelconque, ils seront portés de nouveau à la charge du pays d'origine.

In case of reforwarding or return to a third country, the accrued charges, that is, such of the charges mentioned in (a), (b), (c) and (d) above as are applicable, shall follow the parcel, but in the case that the third country concerned refuses to assume the charges because they cannot be collected from the addressee or sender, as the case may be, or for any other reason, they shall be charged back to the country of origin.

Au cas d'un colis renvoyé ou réexpédié en transit à travers de l'une Administration sur l'autre, l'Administration intermédiaire

In the case of a parcel returned or forwarded in transit through one of the two Administrations to or from the other, the inter-

pourra exiger aussi la somme qui lui est due pour tout autre service territorial ou maritime effectué, ainsi que tous montants dus à une autre ou des autres Administrations quelconques qui sont intéressées.

mediary Administration may claim also the sum due to it for any additional territorial or sea service provided, together with any amounts due to any other Administration or Administrations concerned.

ART. 18.

Colis-Avion

Les Chefs des Administrations Postales des deux pays contractants ont le droit de fixer, d'un commun accord, la surtaxe aérienne et les autres conditions, au cas où les colis sont transportés par voie aérienne.

ART. 18.

Air Parcels.

The Chiefs of the Postal Administrations of the two contracting countries have the right to fix by mutual consent the air surtax and other conditions in the case where the parcels are conveyed by the air routes.

Air parcels.

Surtax.

ART. 19.

Suspension du Service.

Lorsque des circonstances extraordinaires justifient la mesure, l'une ou l'autre des Administrations peut suspendre, totalement ou partiellement, le service des colis ordinaires et/ou des colis avec valeur déclarée ou peut le restreindre à quelques bureaux, pourvu qu'elle en donne immédiatement avis à l'autre Administration, au besoin par télégraphe.

ART. 19.

Suspension of Service.

In extraordinary circumstances such as will justify the measure, either Administration may suspend, totally or partially, the service of ordinary and/or insured parcels or restrict it to certain offices, on condition of giving immediate notice, if necessary by telegraph, to the other Administration.

Suspension of service.

ART. 20.

Dispositions non prévues par le Present Arrangement.

1. A moins qu'elles ne soient réglées par le présent Arrangement toutes les questions concernant les demandes de retrait ou de renvoi des colis, et l'établissement et le renvoi des avis de réception et le règlement des demandes d'indemnité pour les colis assurés, seront traitées suivant les dispositions de la Convention postale universelle et de son Règlement d'Exécution, en tant que celles-ci sont applicables et ne sont pas contraires à celles qui précèdent. Si le cas n'est prévu nulle part, la législation interne des Etats-Unis d'Amérique ou de la Roumanie, ou les décisions prises par l'un ou l'autre des pays, sont applicables dans le pays respectif.

ART. 20.

Matters not Provided for in the Present Agreement.

1. Unless they are provided for in the present Agreement, all questions concerning requests for recall or return of parcels and the obtaining and disposition of return receipts and settlement of indemnity claims in connection with insured parcels shall be treated in accordance with the provisions of the Universal Postal Convention and its Regulations of Execution, insofar as they are applicable and are not contrary to the foregoing provisions. If the case is not provided for at all, the domestic legislation of the United States of America or of Rumania, or the decisions made by one country or the other, are applicable in the respective country.

Matters not provided for herein.

Universal Postal Convention, etc., provisions to govern.
49 Stat 2741.

Details to be fixed
by common consent.

2. Les détails relatifs à l'application du présent Arrangement seront fixés par les deux Administrations dans un Règlement d'Exécution dont les dispositions pourront être modifiées ou complétées d'un commun accord par voie de correspondance. Un même accord par voie de correspondance, pourra intervenir en vue de l'échange de colis contre remboursement.

C O D. parcels

Mutual notification of postal laws, etc

3. Les deux Administrations se notifient mutuellement leurs lois, ordonnances et tarifs concernant l'échange des colis postaux, ainsi que toutes les modifications de taxes qui y seraient introduites dans la suite.

2. The details relative to the application of the present Agreement will be fixed by the two Administrations in Regulations of Execution, the provisions of which may be modified or completed by common consent by way of correspondence. A similar agreement through correspondence may be made with a view to the exchange of parcels with trade charges (C. O. D. parcels).

3. The two Administrations notify each other mutually of their laws, ordinances and tariffs concerning the exchange of parcel post, as well as of all modifications in rates which may be subsequently made.

ART. 21.

Durée de l'Arrangement.

When effective.

1. Le présent Arrangement, entrera en vigueur après avoir été ratifié par les parties contractantes.

Provisional application

Toutefois, il est loisible aux deux Administrations de l'appliquer provisoirement dès le 1^{er} janvier 1936.

Duration.

2. Il déployera ses effets aussi longtemps qu'il n'aura pas été dénoncé 6 mois à l'avance par l'une ou l'autre des deux Administrations.

Signatures.

Fait en double expédition et signé à Washington, le 10/VIII-1937 et à București, le 12/III-1937

ART. 21.

Duration of the Agreement.

1. The present Agreement will enter into force after having been ratified by the contracting parties.

However, it is permissible for the two Administrations to apply it provisionally from January 1, 1936.

2. It shall remain in effect as long as it has not been terminated six months in advance by one or the other of the two Administrations.

Done in duplicate and signed at Washington, the tenth day of August 1937 and at București, the twelfth day of March, 1937

*Le Directeur Général des Postes,
des Télégraphes et des Télé-
phones.*

*București,
Roumanie.*

[SEAL] Mg. I. PITULESCU

[SEAL] JAMES A FARLEY
*The Postmaster General of
the United States of America.
Washington, D. C.*

Approval.

The foregoing Parcel Post Agreement between the United States of America and Rumania has been negotiated and concluded with my advice and consent and is hereby approved and ratified.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

WASHINGTON, August 20, 1937

Règlement d'Exécution de
l'Arrangement concernant l'Echange
des Colis Postaux
conclu entre
la Roumanie et
les Etats-Unis d'Amérique.

Regulations of Execution for
the Agreement concerning the Exchange
of Parcel Post
concluded between
Rumania and
the United States of America.

Regulations of Ex-
ecution.

ART. 1.

ART. 1.

Conditionnement des Colis.

Preparation of parcels.

1. Le nom et l'Adresse de l'expé-
diteur et du destinataire doivent
être écrits d'une façon lisible et
exacte, si possible sur le colis
même ou sur une étiquette fixée
solidement à l'envoi.

Il est recommandé d'insérer un
double de l'adresse dans chaque
colis, surtout lorsque l'usage d'une
étiquette volante est rendu né-
cessaire par le conditionnement
ou par la forme de l'envoi.

Les colis dont l'adresse de l'ex-
péditeur ou du destinataire con-
siste en initiales seulement ne
sont pas admis, à moins que les
initiales ne soient la raison so-
ciale adoptée de l'expéditeur ou du
destinataire, généralement
reconnu.

Les adresses au crayon ne sont
pas admises. Sont toutefois ac-
ceptées les adresses écrites au
crayon-encre, sur un fond préa-
lablement mouillé.

2. Chaque colis doit être em-
ballé de manière que le contenu
soit préservé pendant toute la
durée du transport, et de façon
à empêcher le contenu d'endom-
mager des autres colis ou envois,
ou blesser les agents postaux.
L'emballage doit protéger le con-
tenu suffisamment afin que les
traces soient faciles à découvrir
en cas de spoliation.

Les colis avec valeur déclarée
doivent être scellés par des cachets
à la cire, par des plombs ou par un
autre moyen équivalent. Pour les
colis ordinaires, un ficelage soi-
gneux suffit comme moyen de fer-
meture, mais ils peuvent aussi
être scellés.

1. The name and address of the
sender and of the addressee must
be written, legibly and correctly,
if possible on the parcel itself,
or on a label affixed securely to
the parcel.

It is recommended that a dupli-
cate of the address be inserted in
every parcel, especially when the
use of a tag is rendered necessary
by the packing or form of the
parcel.

Parcels on which the name of the
sender or of the addressee is indi-
cated merely by initials are not
admitted unless the initials are the
adopted trade name of the sender,
or addressee, which is generally
understood.

Addresses in pencil are not ad-
mitted. However, addresses writ-
ten in indelible pencil on a previ-
ously dampened surface are ac-
cepted.

2. Each parcel must be packed
in such a manner that the contents
are protected over the whole
route, and in such a way as to
prevent the contents from damag-
ing other parcels or objects or
injuring postal agents. The pack-
ing must protect the contents
sufficiently that, in case of rifling,
the traces thereof may be easily
discovered.

Insured parcels must be sealed
with wax or lead or by some equiv-
alent means. For ordinary par-
cels, careful tying is sufficient as
a mode of closing, but they may
also be sealed.

Preparation of par-
cels.

Comme mesure de sécurité, chaque Administration peut exiger qu'une empreinte ou marque spéciale de l'expéditeur figure sur les plombs ou cachets de fermeture des colis avec valeur déclarée.

L'Administration des douanes du pays de destination est autorisée à ouvrir les colis. A cet effet, les cachets ou toute autre fermeture peuvent être brisés ou rompus. Les envois ouverts par la douane doivent être refermés et, en outre, scellés d'office, si l'expéditeur les avait scellés.

3. Pour les colis avec valeur déclarée, le montant de la valeur déclarée doit figurer sur le colis, exprimé dans la monnaie du pays d'origine, en caractères latins. Ce montant doit être converti en francs-or par l'expéditeur ou par le bureau d'origine, et le résultat de la conversion est ajouté au-dessous de l'indication originale. Le montant de la valeur assurée doit aussi être indiqué sur le bulletin d'expédition.

4. Chaque colis avec valeur déclarée doit porter du côté de l'adresse un numéro (insurance number) et l'indication "insured" ou "valeur déclarée". Le même numéro d'assurance et la même annotation doivent également figurer sur le bulletin d'expédition.

5. Les étiquettes ou timbres-poste apposés sur les colis avec valeur déclarée doivent être espacés afin qu'ils ne puissent servir à cacher des lésions de l'emballage. Ils ne doivent pas, non plus, être repliés sur deux faces de l'emballage, de manière à couvrir la bordure.

6. Les liquides et les corps facilement liquéfiables doivent être expédiés dans un double récipient. Entre le premier (bouteille, flacon, boîte, etc.) et le second (boîte en métal, en bois résistant, en fibre de solide qualité ou récipient de résistance équivalente), une espace doit être laissée qui sera remplie de sciure, de son ou de toute autre matière spongieuse, en quantité suffisante pour absorber tout le liquide en cas de bris du récipient.

As a protective measure, either Administration may require that a special imprint or mark of the sender appear on the wax or lead seals closing insured parcels.

The Customs Administration of the country of destination is authorized to open the parcels. To that end, the seals of¹ any other fastenings may be broken. Parcels opened by the customs must be refastened and also officially sealed, if the sender has sealed them.

3. For insured parcels, the amount of insured value must appear on the parcel in the currency of the country of origin and in Roman letters. This amount must be converted into gold francs by the sender or by the office of origin, and the result of the conversion is added below the original indication. The amount of the insured value must also be indicated on the dispatch note.

4. Each insured parcel must bear on the address side an insurance number and the notation "Insured" or "Valeur déclarée". The same insurance number and notation must also be shown on the dispatch note.

5. The labels or postage stamps affixed to insured parcels must be spaced so that they cannot serve to conceal injuries to the packing. Neither must they be folded over two faces of the wrapping so as to cover the edge.

6. Liquids and easily liquefiable substances must be sent in a double receptacle. Between the first (bottle, flask, box, etc.) and the second (box of metal, strong wood, or strong carton of fiber-board, or receptacle of equal strength), there must be left a space to be filled with sawdust, bran or other absorbent material, in sufficient quantity to absorb all the liquid in case that the receptacle is broken.

¹ So in original.

7. Les poudres et les matières colorantes en poudre doivent être emballés dans de fortes boîtes en fer-blanc ou autre métal, qui, après avoir été soudées, seront placées à leur tour dans des emballages extérieurs résistants de manière à exclure tout endommagement d'autres envois.

7. Powders and dyes in powder form must be packed in strong boxes of tin or other metal, which, after soldering, must be placed in turn in substantial outer covers in such a way as to avoid all damage to other articles.

ART. 2.

ART. 2.

Déclarations en douane et Bulletins d'Expédition.

Customs Declarations and Dispatch Notes.

1. L'expéditeur doit préparer une déclaration en douane et un bulletin d'expédition pour chaque colis expédié aux Etats-Unis d'Amérique, et deux déclarations en douane et un bulletin d'expédition pour chaque colis expédié à la Roumanie, sur des formules spéciales fournies à cet effet par le pays d'origine.

1. The sender shall prepare one customs declaration and one dispatch note for each parcel sent to the United States of America, and two customs declarations and one dispatch note for each parcel sent to Rumania, upon special forms provided for the purpose by the country of origin.

Customs declarations and dispatch notes.

La déclaration en douane doit fournir une description générale du colis, une liste exacte et détaillée de son contenu et de sa valeur, la date de sa mise à la poste, le poids réel, le nom et l'adresse de l'expéditeur, et le nom et l'adresse du destinataire; et elle sera attachée solidement au colis.

The customs declaration shall give a general description of the parcel, an accurate statement in detail of its contents and value, date of mailing, actual weight, the sender's name and address and the name and address of the addressee, and shall be securely attached to the parcel.

Le bulletin d'expédition doit indiquer le bureau d'origine, le nom et l'adresse de l'expéditeur, le nombre de déclarations en douane, le poids du colis, le port payé, le nom et l'adresse du destinataire, et le bureau de destination; et il sera attaché solidement au colis.

The dispatch note shall show the office of mailing, the name and address of the sender, the number of customs declarations, the weight of the parcel, the postage paid, the name and address of the addressee, and the office of destination and shall be securely attached to the parcel.

Toutefois, par exception à ce qui précède, lorsque plus d'un colis non assuré est déposé simultanément par le même expéditeur à l'adresse du même destinataire, l'expéditeur ne doit nécessairement préparer qu'une déclaration en douane et un bulletin d'expédition pour chaque lot de trois colis au maximum originaires de la Roumanie; ou deux déclarations en douane et un bulletin d'expédition pour chaque lot de trois colis au maximum originaires des Etats-Unis d'Amérique. Telles déclarations en douane et tels bulletins d'expédition doivent indiquer,

However, as an exception to the foregoing, when more than one uninsured parcel is mailed simultaneously by the same sender to the same addressee at the same address, the sender need prepare only one customs declaration and one dispatch note for each lot of not more than three parcels sent from Rumania, and two customs declarations and one dispatch note in the case of each lot of not more than three parcels sent from the United States of America, which customs declarations and dispatch notes shall show, in addition to the particulars set forth in the pre-

outre les détails prévus aux deux alinéas précédents, le nombre total de colis constituant le lot entier; et ils seront attachés solidement à l'un des colis. Dans de tels cas, chaque colis d'un groupe doit être numéroté 1, 2 ou 3, à titre de numéros d'identification; et lorsque plus de trois colis sont envoyés simultanément chaque groupe est désignée par un lettre (a, b, c, etc.); pour exemple, lorsqu'il y a deux groupes de trois colis chacune, les colis doivent être marqués "a-1", "a-2" et "a-3"; et "b-1", "b-2" et "b-3".

2. Les Administrations n'acceptent aucune responsabilité pour l'exactitude des déclarations en douane ni des bulletins d'expédition.

ART. 3.

Avis de réception.

Return receipts.

1. Quant à un colis pour lequel un avis de réception est demandé, le bureau d'origine fait figurer sur le colis les lettres ou les mots "A. R.", ou "Avis de Réception." Le bureau d'origine, ou un autre bureau quelconque désigné par l'Administration expéditrice, doit remplir une formule d'avis de réception et l'attacher au colis. Si la formule ne parvient pas au bureau de destination, celui-ci prépare un duplicata.

2. Le bureau de destination, après avoir dûment rempli la formule d'avis de réception, la renvoie en franchise de port à l'adresse de l'expéditeur du colis.

3. Lorsque l'expéditeur demande un avis de réception postérieurement au dépôt du colis, le bureau d'origine remplit régulièrement une formule d'avis de réception tout en y attachant une formule de réclamation pourvue des détails relatifs à l'expédition du colis, et la transmet au bureau de destination du colis. En cas de livraison régulière du colis, le bureau de destination retire la formule de réclamation, et l'avis de réception est traité de la manière prescrite au paragraphe précédent.

ceding two paragraphs, the total number of parcels comprising the shipment, and shall be securely attached to one of the parcels. In such case, each parcel in a group must be numbered 1, 2 or 3, as identification numbers, and when more than 3 parcels are sent at the same time each group is indicated by a letter (a, b, c, etc.); for example, when there are 2 groups of 3 parcels each, the parcels shall be marked "a-1", "a-2" and "a-3" and "b-1", "b-2" and "b-3".

2. The Administrations accept no responsibility for the correctness of the customs declarations or dispatch notes.

ART. 3.

Return Receipts.

1. As to a parcel for which a return receipt is asked, the office of origin places on the parcel the letters or words "A. R." or "Avis de Réception." The office of origin or any other office appointed by the dispatching Administration shall fill out a return receipt form and attach it to the parcel. If the form does not reach the office of destination, that office makes out a duplicate.

2. The office of destination, after having duly filled out the return receipt form, returns it free of postage to the address of the sender of the parcel.

3. When the sender applies for a return receipt after a parcel has been mailed, the office of origin duly fills out a return receipt form and attaches it to a form of inquiry which is entered with the details concerning the transmission of the parcel and then forwards it to the office of destination of the parcel. In the case of the due delivery of the parcel, the office of destination withdraws the inquiry form, and the return receipt is treated in the manner prescribed in the foregoing Section.

ART. 4.

Récipients.

1. Chaque Administration pourvoit à l'acquisition des sacs nécessaires pour l'expédition de ses colis. Chaque sac doit être marqué de façon à indiquer le nom du bureau ou du pays auquel il appartient. Les sacs vides doivent être renvoyés au pays d'origine par le prochain courrier.

2. Il y a lieu d'indiquer sur la feuille de route tant le nombre de sacs utilisés pour la confection de la dépêche que celui des sacs vides en retour. A l'aide de ces indications, chaque Administration exerce un contrôle sur la rentrée des récipients qui lui appartiennent. Au cas où ce contrôle démontrerait que le dix pour cent du nombre total des sacs utilisés pendant une année n'a pas été renvoyé, la valeur des sacs manquants doit être remboursée à l'office expéditeur.

ART. 5.

Echange des colis.

1. Les colis sont échangés dans des sacs clos au moyen de cachets ou de plombs, entre les bureaux désignés par les Administrations. Ils sont transmis au pays de destination aux frais du pays d'origine et de la manière qui convient à ce dernier.

Le poids de chaque sac ne doit pas dépasser 40 kilogrammes.

2. Les colis assurés seront compris dans des sacs à part de ceux dans lesquels les colis ordinaires sont insérés, et les étiquettes des sacs qui contiennent les colis assurés doivent être marquées avec tels symboles distinctifs qui seraient adoptés de temps en temps.

ART. 6.

Inscription des colis.

1. Il doit être établi des feuilles de route distinctes pour les colis ordinaires, d'une part, et pour les colis avec valeur déclarée, d'autre part.

ART. 4.

Receptacles.

1. Each Administration provides itself with the necessary sacks for the exchange of its parcels. Each bag shall be marked to show the name of the office or country to which it belongs. The empty sacks must be returned to the country of origin by the next mail.

2. It is necessary to indicate in the parcel bill both the number of sacks used for the preparation of the dispatch and the number of empty sacks returned. With the aid of these indications, each Administration exercises a control over the return of the receptacles belonging to it. In case that this control shows that ten per cent of the total number of sacks used during a year have not been returned, the value of the missing sacks must be repaid to the dispatching office.

ART. 5.

Exchange of Parcels.

1. The parcels are exchanged in sacks closed by means of wax or lead seals, between the offices designated by the Administrations. They are transmitted to the country of destination at the expense of the country of origin and in a manner convenient to the latter.

The weight of each sack must not exceed 40 kilograms.

2. Insured parcels shall be enclosed in separate sacks from those in which ordinary parcels are contained, and the labels of sacks containing insured parcels shall be marked with such distinctive symbols as may from time to time be agreed upon.

ART. 6.

Billing of Parcels.

1. Separate parcel bills must be prepared for the ordinary parcels on the one hand, and for the insured parcels on the other hand.

Receptacles.

Exchange of parcels.

Billing of parcels.

Les feuilles de route sont établies en double exemplaire. L'originale est expédiée par la poste aux lettres, tandis que le duplicata est inséré dans l'un des sacs. Le sac renfermant la feuille de route est désigné par la lettre "F" tracée d'une manière apparente sur l'étiquette.

2. Les colis ordinaires compris dans chaque dépêche à destination de la Roumanie sont inscrits en bloc sur les feuilles de route, mais par catégories d'envois jusqu'à 1 kilogramme, de 1 à 5 kilogrammes, et de 5 à 10 kilogrammes.

Les colis ordinaires compris dans chaque dépêche à destination des Etats-Unis d'Amérique sont inscrits sur les feuilles de route par la seule mention du nombre total des colis et de leur poids net total.

3. Les colis avec valeur déclarée sont inscrits isolément sur les feuilles de route, avec indication du numéro (insurance number) et du nom du bureau d'origine.

Pour les colis avec valeur déclarée à destination de la Roumanie, les feuilles de route doivent porter aussi l'indication de la coupure de poids à laquelle les colis appartiennent.

Pour les colis avec valeur déclarée à destination des Etats-Unis d'Amérique, les feuilles de route doivent porter, en outre, l'indication du poids net total des colis.

4. Les colis transmis à découvert doivent être inscrits séparément sur les feuilles de route.

5. Les colis retournés ou réexpédiés doivent être inscrits isolément sur les feuilles de route et être suivis du mot "Retourné" ou "Réexpédié", selon le cas. Une indication de frais dus pour ces colis doit figurer dans la colonne "Observations".

6. Le nombre total des sacs compris dans chaque dépêche doit aussi figurer sur les feuilles de route.

7. Chaque bureau d'échange expéditeur numérote les feuilles de route à l'angle gauche supérieur d'après une série annuelle. Le dernier numéro de l'année

The parcel bills are prepared in duplicate. The original is sent in the regular mails, while the duplicate is inserted in one of the sacks. The sack containing the parcel bill is designated by the letter "F" traced in a conspicuous manner on the label.

2. The ordinary parcels included in each dispatch sent to Rumania are to be entered on the parcel bills in bulk, but by classes of parcels up to 1 kilogram, from 1 to 5 kilograms, and from 5 to 10 kilograms.

The ordinary parcels included in each dispatch sent to the United States of America are to be entered on the parcel bills to show the total number of parcels and the total net weight thereof.

3. Insured parcels shall be entered individually on the parcel bills to show the insurance number and the name of the office of origin.

In the case of insured parcels for Rumania, the parcel bills must also show the indication of the division of weight to which the parcel belongs.

In the case of insured parcels for the United States of America, the parcel bills must also show the total net weight of the parcels.

4. Parcels sent "à découvert" must be entered separately on the parcel bills.

5. Returned or redirected parcels must be entered individually on the parcel bills and be followed by the word "Returned" or "Redirected", as the case may be. A statement of the charges which may be due on these parcels should be shown in the "Observations" column.

6. The total number of sacks comprising each dispatch must also be shown on the parcel bills.

7. Each dispatching exchange office numbers the parcel bills in the upper left-hand corner in accordance with an annual series. The last number of the preceding

précédente doit être mentionné year must be mentioned on the sur la première feuille de la first bill of the following year. nouvelle année.

8. La mode exacte d'avis des colis ou des réceptients les contenant expédiés par l'une des Administrations en transit par l'autre, ainsi que tous les détails en connexion avec la manière d'avis de tels colis ou réceptients non prévus par cet Arrangement, sera réglée d'un commun accord par voie de correspondance entre les deux Administrations.

8. The exact method of advising parcels or the receptacles containing them sent by one Administration in transit through the other together with any details of procedure in connection with the advice of such parcels or receptacles for which provision is not made in this Agreement, shall be settled by mutual agreement through correspondence between the two Administrations.

ART. 7.

Vérification par les bureaux d'échange.

1. A la réception d'une dépêche le bureau d'échange destinataire procède à sa vérification. Les inscriptions sur la feuille de route doivent être vérifiées exactement. Chaque erreur ou omission doit être portée immédiatement à la connaissance du bureau d'échange expéditeur au moyen d'un bulletin de vérification. Une dépêche est considérée comme ayant été trouvée en ordre à tous égards, lorsqu'il n'est pas dressé de bulletin de vérification.

Si l'on constate une erreur ou une irrégularité à la réception d'une dépêche, toutes les pièces pouvant servir de preuves à l'appui en vue de recherches ultérieures ou de l'examen de demandes d'indemnité doivent être conservées.

2. Le bureau d'échange expéditeur auquel un bulletin de vérification est envoyé doit le renvoyer après l'avoir examiné et y apporté ses observations éventuelles. Ce bulletin est alors annexé aux feuilles de route des colis auxquelles il se rapporte. Les corrections apportées à une feuille de route qui ne sont pas appuyées par des documents sont considérées comme nulles et non avenues.

3. Si nécessaire, le bureau d'échange expéditeur peut de même être avisé par télégramme, aux frais de l'Office expéditeur de tel télégramme.

ART. 7.

Verification by the Exchange Office.

1. Upon the receipt of a dispatch, the exchange office of destination proceeds to verify it. The entries in the parcel bill must be verified exactly. Each error or omission must be brought immediately to the knowledge of the dispatching exchange office by means of a bulletin of verification. A dispatch is considered as having been found in order in all regards when no bulletin of verification is made up.

If an error or irregularity is found upon receipt of a dispatch, all objects which may serve later on for investigations, or for examination of requests for indemnity, must be kept.

2. The dispatching exchange office to which a bulletin of verification is sent returns it after having examined it and entered thereon its observations, if any. That bulletin is then attached to the parcel bills of the parcels to which it relates. Corrections made on a parcel bill which are not justified by supporting papers are considered as devoid of value.

3. If necessary, the dispatching exchange office may also be advised by telegram, at the expense of the Office sending such telegram.

Verification by exchange office.

4. En cas de manque d'une feuille de route, il en est établi un duplicata dont une copie est envoyée au bureau d'échange expéditeur de la dépêche.

5. Le bureau d'échange qui reçoit d'un bureau correspondant un colis qui se trouve endommagé ou insuffisamment emballé doit réexpédier tel colis après remballage s'il est nécessaire, tout en préservant l'emballage original autant que possible.

Si le dommage est tel que le contenu du colis aurait pu être soustrait, le bureau doit d'abord ouvrir le colis d'office et en vérifier le contenu.

Dans l'un ou l'autre cas, le poids du colis sera vérifié avant et après le remballage, et indiqué sur l'emballage du colis même. Cette indication sera suivie par la note "Remballé à----- (Repacked at-----)" ainsi que la signature des agents ayant effectué tel remballage.

4. In case of shortage of a parcel bill, a duplicate is prepared, a copy of which is sent to the exchange office of origin of the dispatch.

5. The office of exchange which receives from a corresponding office a parcel which is damaged or insufficiently packed must re-dispatch such parcel after repacking, if necessary, preserving the original packing as far as possible.

If the damage is such that the contents of the parcel may have been abstracted, the office must first officially open the parcel and verify its contents.

In either case, the weight of the parcel will be verified before and after repacking, and indicated on the wrapper of the parcel itself. That indication will be followed by the note "Remballé à-----" ("Repacked at-----"), and the signature of the agents who have effected such repacking.

ART. 8.

Bonification des quotes-parts.

Payments

Ante, p 1644.

1. Les quotes-parts terminales à bonifier par l'Office expéditeur à l'Office destinataire, en vertu de l'Article 17, paragraphe 1, de l'Arrangement, sont les suivantes:

A. Par la Roumanie aux Etats-Unis d'Amérique:

70 centimes-or par kilogramme, sur la base du poids net en bloc (bulk net weight) de chaque dépêche.

Cette taxe s'applique aussi aux colis à destination de l'Alaska. Elle est réduite à 35 centimes-or par kilogramme pour les colis à destination de Puerto Rico, des Iles Vierges, de Guam, de Samoa, et de Hawaï.

B. Par les Etats-Unis d'Amérique à la Roumanie:

Taxe par colis:

Jusqu'à 1 kg.-----	85 cm.-or
Au delà de 1 kg. jusqu'à 5 kg.-----	1.25 fr.-or
Au delà de 5 kg. jusqu'à 10 kg.-----	2.25 fr.-or

ART. 8.

Payments.

1. The terminal quotas to be credited by the dispatching Office to the Office of destination, by virtue of Article 17, Section 1, of the Agreement, are the following:

A. By Rumania to the United States of America:

70 gold centimes per kilogram, based on the bulk net weight of each dispatch.

This rate applies also to parcels for Alaska. The rate is reduced to 35 gold centimes per kilogram for parcels for Puerto Rico, the Virgin Islands, Guam, Samoa, and Hawaii.

B. By the United States of America to Rumania:

Rate per parcel:

Up to 1 kg.-----	85 gold cms.
From 1 up to 5 kg.-----	1.25 gold frs.
From 5 up to 10 kg.-----	2.25 gold frs.

En outre, pour les colis assurés expédiés de l'un des pays sur l'autre, il sera bonifié une quote-part terminale d'assurance de 10 centimes-or par colis.

2. Les quotes-parts à bonifier pour les colis expédiés par une Administration à l'autre, en vue de leur transmission ultérieure à une possession ou à un pays tiers, seront fixées par l'Administration intermédiaire.

3. Les taxes terminales et de transit susmentionnées peuvent être réduites ou majorées, moyennant avertissement donné trois mois à l'avance par l'un pays à l'autre. La réduction ou majoration sera valable pour un an au moins.

ARTICLE 9.

Décompte.

1. A la fin de chaque trimestre, chaque Administration établit un compte sur la base des feuilles de route.

2. Ces comptes, accompagnés des feuilles de route et, le cas échéant, des copies des bulletins de vérification s'y rapportant, doivent être soumis à l'examen de l'Administration correspondante dans le courant du mois qui suit le trimestre auquel ils se rapportent.

3. La récapitulation, l'envoi, l'examen et l'acceptation de ces comptes ne doivent pas être retardés et le règlement due solde aura lieu, au plus tard, à l'expiration du trimestre suivant.

4. Le solde résultant de la balance des comptes entre les deux Administrations est payé par traite à vue, tirée sur New York ou par un autre moyen convenu réciproquement par voie de correspondance. Les frais de paiement sont à la charge de l'Administration débitrice.

ARTICLE 10.

Notifications Diverses.

Les Administrations se communiqueront mutuellement un résumé des dispositions de leurs lois

In addition, in the case of insured parcels sent from either country to the other, there shall be paid a terminal insurance credit of 10 centimes gold per parcel.

2. The quotas to be credited for parcels dispatched by one Administration to the other for subsequent transmission to a possession or to a third country will be fixed by the intermediate Administration.

3. The terminal charges and transit rates above specified may be reduced or increased on three months previous notice given by one country to the other. The reduction or increase shall hold good for at least one year.

ARTICLE 9.

Accounting.

1. At the end of each quarter, each Administration makes up an account on the basis of the parcel bills.

2. These accounts accompanied by the parcel bills, and, if any, copies of verification notes relating thereto shall be submitted to the examination of the corresponding Administration in the course of the month following the quarter to which they relate.

3. The recapitulation, transmission, examination and acceptance of these accounts must not be delayed, and the payment of the balance shall take place, at the latest, at the expiration of the following quarter.

4. The balance resulting from the adjustment of the accounts between the two Administrations is paid by a sight draft drawn on New York, or by some other means mutually agreed upon by correspondence. The expenses of payment are chargeable to the debtor Administration.

ARTICLE 10.

Miscellaneous Notifications.

The Administrations shall communicate to each other a summary of the provisions of their laws or

Accounting.

Miscellaneous notifications.

ou règlements applicables aux colis échangés entre les deux pays contractants, ainsi que tous les autres détails nécessaires pour l'exécution de l'échange des colis.

Effective date and duration.

Le présent Règlement sera exécutoire à partir du jour de la mise en vigueur de l'Arrangement concernant l'Echange des Colis Postaux, et aura la même durée que cet Arrangement.

Signatures.

Fait en double expédition et signé à Washington, le 10/VIII-1937 et à București, le 12/III-1937

regulations applicable to the parcels exchanged between the two contracting countries, and other items necessary for carrying out the exchange of parcels.

These Regulations shall come into operation on the day on which the Parcel Post Agreement comes into force and shall have the same duration as the Agreement.

Done in duplicate and signed at Washington, the tenth day of August 1937 and at București, the twelfth day of March 1937.

Le Directeur Général des Postes, des Télégraphes et des Téléphones.

*București,
Roumanie.*

[SEAL] MG. I. PITULESCU

[SEAL] JAMES A FARLEY
*The Postmaster General of
the United States of America.
Washington, D. C.*

Approval by the President.

The foregoing Regulations for the Execution of the Parcel Post Agreement between the United States of America and Rumania have been negotiated and concluded with my advice and consent and are hereby approved and ratified.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

WASHINGTON, August 20, 1937

Postal Union of the Americas and Spain, convention, final protocol, and regulations of execution; resolutions of the Congress; agreement relative to parcel post, and final protocol. Signed at Panamá, December 22, 1936; ratified by the Postmaster General, August 12, 1937; approved by the President, August 20, 1937.

December 22, 1936

UNIÓN POSTAL DE LAS AMÉRICAS Y ESPAÑA

POSTAL UNION OF THE AMERICAS AND SPAIN ¹

Postal Union of the
Americas and Spain.

CONVENIO

celebrado entre:

Argentina, Bolivia, Brasil, Canadá, Colombia, Costa Rica, Cuba, Chile, Dominicana, Ecuador, El Salvador, España, Estados Unidos de América, Guatemala, Haití, Honduras, México, Nicaragua, Panamá, Paraguay, Perú, Uruguay y Venezuela.

Los infrascriptos, Plenipotenciarios de los Gobiernos de los países arriba enunciados, reunidos en Congreso en la ciudad de Panamá, República de Panamá, haciendo uso del derecho que les concede el artículo 5 del Convenio vigente de la Unión Postal Universal, e inspirándose en el deseo de extender y perfeccionar sus relaciones postales y de establecer una solidaridad de acción capaz de representar eficazmente en los Congresos Postales Universales sus intereses comunes, en lo que se refiere a las comunicaciones por correo, han determinado celebrar, a reserva de ratificación, el Convenio siguiente:

ARTICULO 1

Unión Postal de las Américas y *Postal Union of the Americas and España*

Los países contratantes, de acuerdo con la precedente declaración constituyen, bajo la denominación de Unión Postal de las Américas y España, un solo territorio postal.

CONVENTION

concluded between

Argentina, Bolivia, Brazil, Canada, Colombia, Costa Rica, Cuba, Chile, the Dominican Republic, Ecuador, El Salvador, Spain, the United States of America, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, and Venezuela.

The undersigned, Plenipotentiaries of the Governments of the countries above enumerated, assembled in Congress in the city of Panama, Republic of Panama, making use of the right granted them by Article 5 of the Convention of the Universal Postal Union in force, and inspired by the desire to extend and perfect their postal relations and establish a solidarity of action capable of representing effectively in Universal Postal Congresses their common interests in regard to communications by mail, have determined to conclude, subject to ratification, the following Convention:

ARTICLE 1

The contracting countries, in accordance with the foregoing declaration, constitute, under the name of *Postal Union of the Americas and Spain*, a single postal territory.

Convention.

Contracting Powers.

Source of authority.

49 Stat. 2746.

Constituted a single
postal territory.

¹ Translation by Post Office Department.

ARTICULO 2

*Uniones restringidas**Restricted unions.*

1. Los países contratantes, ya sea por su situación limítrofe, ya sea por la intensidad de sus relaciones postales, podrán establecer entre sí uniones más estrechas, con el fin de reducir tarifas o introducir otras mejoras sobre cualquiera de los servicios a que se refiere el presente Convenio o los Acuerdos especiales celebrados por este Congreso.

Signatories may adopt resolutions among themselves.

2. Asimismo, y en lo que concierne a asuntos no previstos en el presente Convenio o en el de la Unión Postal Universal, los países signatarios podrán adoptar entre sí las resoluciones que estimen precisas, por medio de correspondencia, o si fuere necesario, ajustando un Acuerdo especial, de conformidad con la autorización que les confiere el presente artículo o su legislación interna.

ARTICLE 2

Restricted Unions

1. The contracting countries, whether on account of their adjacent location or on account of the intensity of their postal relations, may establish closer unions among themselves, with a view to the reduction of rates or the introduction of other improvements in any of the services referred to in the present Convention or in the special Agreements concluded by this Congress.

2. Likewise, concerning matters not provided for in the present Convention, or in that of the Universal Postal Union, the signatory countries may adopt among themselves such resolutions as they deem necessary, through correspondence, or, if necessary, by establishing a special Agreement, in accordance with the authorization conferred upon them by the present Article or their domestic legislation.

ARTICULO 3

*Tránsito libre y gratuito**Free and gratuitous transit*

1. La gratuidad del tránsito territorial, fluvial y marítimo es absoluta en el territorio de la Unión Postal de las Américas y España; en consecuencia, los países que la integran se obligan a transportar a través de sus territorios y a conducir en los buques de su matrícula o bandera que utilicen en el transporte de su propia correspondencia, sin cargo ninguno para los países contratantes, toda la que éstos expidan con cualquier destino.

Reforwarding.

2. En los casos de reencaminamiento, los países contratantes se comprometen a reexpedir la correspondencia por las vías y conductos que utilicen para sus propios envíos.

ARTICLE 3

Free and gratuitous transit

1. The gratuity of territorial, fluvial and maritime transit is absolute in the territory of the Postal Union of the Americas and Spain; consequently, the countries which form it obligate themselves to transport across their territories, and to convey by the ships of their registry or flag which they utilize for the transportation of their own correspondence, without any charge whatsoever to the contracting countries, all that which the latter send to any destination.

2. In cases of reforwarding, the contracting countries are bound to reforward the correspondence by the ways and means which they utilize for their own dispatches.

ARTICULO 4

*Objetos de correspondencia**Articles of correspondence.*

Letters, post cards, etc.

1. Las disposiciones de este Convenio se aplicarán a las cartas, tarjetas postales sencillas y con

ARTICLE 4

Articles of correspondence

1. The provisions of this Convention will apply to letters, single and reply post cards, prints of all

respuesta pagada, impresos de todas clases, papeles de negocio, muestras sin valor, pequeños paquetes, valores declarados y pequeños valores declarados.

2. Los servicios de pequeños paquetes, valores declarados y pequeños valores declarados, quedan limitados a los países que convengan en ejecutarlos, ya sea en sus relaciones recíprocas, ya sea en una sola dirección.

kinds, commercial papers, samples without value, small packets, insured articles and small insured articles.

2. The services of small packets, insured articles and small insured articles are limited to countries which agree to execute them, either in their reciprocal relations or in one direction only.

Limitation.

ARTICULO 5

Tarifa

1. La tarifa del servicio interior de cada país regirá en las relaciones de los países que constituyen la Unión Postal de las Américas y España, excepto cuando dicha tarifa interna sea superior a la que se aplique a la correspondencia destinada a los países de la Unión Postal Universal, caso en el cual regirá esta última.

2. También regirá la tarifa internacional cuando se trate de servicios que no existen en el regimen interior.

3. Para los pequeños paquetes y para los pequeños valores declarados regirán, respectivamente, las tarifas a que aluden los artículos 6 y 7 de este Convenio.

ARTICLE 5

Postage rates

1. The postage rates of the domestic service of each country will govern in the relations of the countries which constitute the Postal Union of the Americas and Spain, except when said domestic rates are higher than those applicable to correspondence destined for countries of the Universal Postal Union, in which case the latter will govern.

2. The international rates will also govern when it is a question of services which do not exist in the domestic régime.

3. For small packets and small insured articles, respectively, the rates will govern which are mentioned in Articles 6 and 7 of this Convention.

Postage rates.

Domestic.

International.

Small packets, etc.

ARTICULO 6

Pequeños paquetes

1. En el servicio facultativo de pequeños paquetes de que trata el artículo 4 de este Convenio, cada envío no podrá pesar más de un kilogramo ni contener objetos cuyo valor mercantil en la localidad en que fuere entregado al Correo, exceda del valor de 10 francos oro o su equivalencia en la moneda del país de origen.

2. Las Administraciones que ejecuten el servicio de pequeños paquetes creado por el Convenio Universal, no estarán obligadas a observar, en sus relaciones recíprocas, cualquiera disposición en conflicto con las estipulaciones del Convenio Universal, relacionada con los pequeños paquetes.

ARTICLE 6

Small packets

1. In the optional service of small packets mentioned in Article 4 of this Convention, no article may weigh more than one kilogram, or contain objects whose mercantile value at the place where they are mailed exceeds the value of 10 gold francs or the equivalent thereof in money of the country of origin.

2. Administrations which execute the service of small packets created by the Universal Convention will not be obliged to observe, in their reciprocal relations, any provision in conflict with the stipulations of the Universal Convention relating to small packets.

Small packets.

Weight.

Contents.

Conflicting provisions.

Prepayment of transit charges.

3. Los pequeños paquetes de cualquier especie, intercambiados entre los países de la Unión Postal de las Américas y España, teniendo en cuenta que no están afectos al pago de derechos de tránsito, serán franqueados de conformidad con la tarifa adoptada en cada país para las encomiendas de su servicio interno, pudiendo las Administraciones aplicar a esos pequeños paquetes las tasas previstas por el Convenio Postal Universal.

3. Small packets of any kind exchanged between countries of the Postal Union of the Americas and Spain, in view of the fact that they are not liable to payment of transit charges, will be prepaid at the rates adopted in each country for parcels in its domestic service, or the Administrations may apply to such small packets the rates prescribed by the Universal Postal Convention.

Customs handling

4. Las Administraciones destinatarias podrán someter a la fiscalización aduanera los pequeños paquetes, de acuerdo con las disposiciones de su legislación interna.

4. The Administrations of destination may submit small packets to customs handling in accordance with the provisions of their domestic legislation.

Collection of fee from addressee

5. Las Administraciones de los países de destino podrán percibir de los destinatarios de pequeños paquetes:

5. The Administrations of the countries of destination may collect from the addressees of small packets:

Customs clearance, fee.

a) Una cuota de 50 céntimos de franco oro, como máximo, por las operaciones, formalidades y tramitaciones inherentes al despacho aduanero;

(a) A fee of 50 centimes of a gold franc at most for the operations, formalities and handling involved in customs clearance;

Delivery fee.

b) Una cuota que no podrá exceder de 15 céntimos de franco oro, por la entrega de cada objeto; pudiendo ser elevada esa cuota hasta 30 céntimos de franco oro, como máximo, en el caso de entrega a domicilio.

(b) A fee which may not exceed 15 centimes of a gold franc for the delivery of each packet; that fee may be increased to 30 centimes of a gold franc at most in case of delivery at the addressee's residence.

Not applicable if customs exempt

6. Cuando los pequeños paquetes fueren considerados por la aduana del país de destino como exentos de pago de derechos aduaneros, no serán aplicables las cuotas de entrega previstas en el inciso b), parágrafo 5 de este artículo.

6. When small packets are considered by the customs of the country of destination as exempt from payment of customs duties, the delivery fees provided for in paragraph (b) of Section 5 of this Article will not be applicable.

ARTICULO 7

ARTICLE 7

Small insured articles.

Pequeños valores declarados

Small insured articles

Insured letters containing paper money, etc

1. Con carácter facultativo y con la denominación de «Pequeños Valores Declarados» podrán ser intercambiadas entre los países contratantes, cartas que contengan valores en papel o documentos de valor, con seguro del contenido hasta el importe de la declaración, que será como máximo de 50 francos oro para cada carta.

1. As an optional measure, and under the denomination of *small insured articles*, letters may be exchanged between the contracting countries which contain paper money or valuable papers, the contents being insured up to the amount of the declared value, which will be 50 gold francs at most for each letter.

Limitation.

Se podrán también aceptar en este servicio los otros envíos de que trata el artículo 4 de este Convenio, exceptuando los pequeños paquetes.

2. El porte de los pequeños valores declarados de que trata el párrafo anterior, deberá ser pagado integralmente por el remitente y se constituirá para cada pieza:

a) Del porte y del derecho fijo aplicables a un envío certificado, en el servicio interno de cada país;

b) De un derecho de seguro de 10 céntimos oro por cada 10 francos oro, o fracción, sobre el valor declarado.

3. La declaración de valor deberá ser igual al valor real del envío. El importe de la declaración de documentos, que representen valor en razón de los gastos de su expedición, no podrá sobrepasar los gastos efectivos de sustitución de dichos documentos, en caso de pérdida.

4. Las Administraciones que ejecutaren el servicio de pequeños valores declarados, serán responsables por la pérdida o avería de esos objetos, hasta el monto del valor real del daño causado, sin que pueda exceder de 50 francos oro.

5. Las Administraciones de la Unión Postal de las Américas y España que no ejecutaren el servicio de pequeños valores declarados, asumirán no obstante, por el tránsito de esos objetos en valijas cerradas, la responsabilidad prevista en la referida Unión para la correspondencia certificada.

6. Los países contratantes que quieran ejecutar el servicio de pequeños valores declarados y que ya fueran signatarios del Acuerdo de valores declarados de la Unión Postal Universal, sólo aplicarán, en sus relaciones recíprocas, la tarifa universal de cartas con valor declarado cuando ese valor fuere superior a 50 francos oro.

7. Las Administraciones que convinieren en ejecutar el servicio de pequeños valores declarados, tomarán las medidas necesarias

The other articles mentioned in Article 4 of this Convention may also be accepted in this service, with the exception of small packets.

2. Postage on the small insured articles mentioned in the preceding Section shall be fully prepaid by the sender, and will be composed, for each article:

(a) Of the postage and the fixed fee applicable to a registered article in the domestic service of each country;

(b) Of an insurance fee of 10 gold centimes for each 10 gold francs or fraction of declared value.

3. The declared value must be equal to the actual value of the article. The amount of the declaration for documents which represent a value by reason of the cost of their preparation may not exceed the actual expense of replacing said documents in case of loss.

4. Administrations which execute the service of small insured articles will be responsible for loss or damage of such articles, up to the amount of the actual value of the damage done, but not exceeding 50 gold francs.

5. Administrations of the Postal Union of the Americas and Spain which do not execute the service of small insured articles will nevertheless assume, for the transit of such articles in closed mails, the responsibility provided for in the said Union for registered correspondence.

6. The contracting countries which desire to execute the service of small insured articles, and which are already signatories of the Insurance Agreement of the Universal Postal Union, will apply the Universal rate for insured letters in their reciprocal relations only when the value is in excess of 50 gold francs.

7. Administrations which agree to execute the service of small insured articles will make the necessary arrangements for ex-

Other articles.
Ante, p. 1658.

Postage fees, prepayment.

Declared value to equal actual value

Responsibility.

para que ese servicio se haga extensivo, en la medida de lo posible, a todas las oficinas de sus respectivos países.

Use of domestic forms.

8. Salvo arreglo en contrario, para el intercambio de los pequeños valores declarados de que trata este artículo, las Oficinas pertenecientes a las Administraciones contratantes, podrán hacer uso de las cubiertas y demás fórmulas usadas en su propio servicio interno; pudiendo redactar en el idioma de cada país, los boletines de verificación, actas, listas de remesa, así como todas las anotaciones hechas en esos y otros documentos relativos a los pequeños valores declarados.

tending that service as far as possible to all offices of their respective countries.

8. In the absence of agreement to the contrary for the exchange of the small insured articles mentioned in this Article, offices of the contracting Administrations may employ the covers and other forms used in their domestic service, it being permissible to word bulletins of verification, reports, waybills, as well as all notations made on these and other documents relative to small insured articles, in the language of each country.

ARTICULO 8

Cupones-respuesta

Reply coupons.

1. El precio de venta al público de los cupones-respuesta, en el régimen de la Unión Postal Américo-española, es de 20 céntimos de franco oro, por cada uno, o su equivalente en la moneda del país que los expendia.

2. Cada cupón es canjeable, en cualquiera de los países que integran esta Unión, por formas de franqueo equivalente a 15 céntimos de franco oro, en la moneda del país que lo canjee.

3. La diferencia de 5 céntimos, queda en favor de la Administración expedidora.

4. Se establece un modelo especial de cupones-respuestas, en la Unión Postal de las Américas y España, que será impreso y puesto a la venta de los países que la integran, por la Oficina Internacional de Montevideo.

ARTICLE 8

Reply coupons

1. The selling-price to the public of each reply coupon under the Postal Union of the Americas and Spain is 20 centimes of a gold franc or the equivalent thereof in money of the country which issues them.

2. Each coupon is exchangeable, in any of the countries which form this Union, for postage stamps equal to 15 centimes of a gold franc in money of the country which exchanges it.

3. The balance of 5 centimes remains in favor of the issuing Administration.

4. A special model of reply coupon is established in the Postal Union of the Americas and Spain, to be printed and sold to the countries composing that Union by the International Office of Montevideo.

ARTICULO 9

Correspondencia certificada—Responsabilidad

Registered correspondence.
Ante, p. 1668.

1. Los objetos designados en el artículo 4, podrán ser expedidos con el carácter de certificados mediante el pago de un derecho igual al establecido para el servicio interno del país de origen, excepto

ARTICLE 9

Registered correspondence—Responsibility

1. The articles designated in Article 4 may be sent under registration upon payment of a fee equal to that established in the domestic service of the country of origin, except when the domestic

cuando el derecho interno sea más elevado que el que se aplique según el Convenio Postal Universal, en cuyo caso este último regirá.

2. Salvo en los casos de fuerza mayor, las Administraciones contratantes serán responsables de la pérdida de todo objeto certificado. El remitente tendrá derecho a una indemnización que no podrá exceder en ningún caso de 10 francos oro, o su equivalente en la moneda del país que deba hacerla efectiva.

3. No obstante, las Administraciones quedarán relevadas de responsabilidad por la pérdida de los objetos certificados cuyo contenido caiga bajo el régimen de las prohibiciones mencionadas por el artículo 15 del presente Convenio, o que esté prohibido por las leyes o reglamentos del país de origen o de destino, siempre que dicho país haya dado el debido conocimiento por la vía usual.

4. Se establece, con carácter facultativo, una categoría especial de certificados sin derecho a indemnización aplicable a los libros, periódicos y demás impresos, papeles de negocio y muestras sin valor, mediante el pago, además de los portes ordinarios, de un derecho reducido cuya cuantía fijarán las Administraciones interesadas. El servicio para este nuevo tipo de certificados, está limitado al intercambio con las Administraciones que hayan acordado su ejecución. Para indicar su carácter especial, los objetos deberán señalarse con las iniciales «S. I.» (sin indemnización), haciéndose igual anotación en las listas descriptivas, en la columna de «Observaciones», así como también en las reclamaciones formuladas para investigar su destino.

5. Sin embargo, las Administraciones que adopten de una manera general un derecho de certificación reducido para todos los objetos que no sean cartas ni tarjetas postales, no estarán obligadas a observar las formalidades establecidas en la parte final del párrafo anterior.

fee is higher than that applicable under the Universal Postal Convention, in which case the latter will govern.

2. Save in cases of *force majeure*, the contracting Administrations will be responsible for the loss of every registered article. The sender will be entitled to an indemnity which may in no case exceed ten gold francs or the equivalent thereof in money of the country which must pay it.

3. Nevertheless, Administrations will be relieved of responsibility for loss of registered articles whose contents fall under the prohibitions mentioned in Article 15 of the present Convention, or which are prohibited by the laws and regulations of the country of origin or of destination, provided that said country has given due notice by the usual means.

4. There is established, as optional, a special category of registers without right to indemnity, applicable to books, periodicals and other prints, commercial papers, and samples without value, subject to payment, in addition to the ordinary postage, of a reduced fee whose amount will be fixed by the Administrations concerned. The service of this new type of registered articles is limited to the exchange with the Administrations which have agreed to execute it. In order to indicate their special character, the articles shall be designated by the initials *S. I.* (*Sin indemnización*—without indemnity), the same notation being made in the *Observations* column of the descriptive lists, as well as on tracers sent in order to investigate their disposal.

5. Nevertheless, Administrations which adopt, in a general manner, a reduced registration fee for all articles other than letters and post cards, will not be obliged to observe the formalities prescribed by the last part of the preceding Section.

Responsibility.

Indemnity.

Exceptions.

Post, p. 1667.

Registers without indemnity right.

Limitation of service.

ARTICULO 10

Franqueo obligatorio

Obligatory prepayment.

1. Con la excepción de las cartas en su forma usual y ordinaria, se declara obligatorio el franqueo completo previo de toda clase de correspondencia, incluso los paquetes cerrados.

Articles not prepaid, etc

2. Los paquetes cerrados, así como los demás objetos no francos o insuficientemente franqueados, quedarán detenidos en la Oficina de origen, que procederá con ellos en la forma que determine su legislación interna.

Insufficiently prepaid matter, double charges

3. Las cartas insuficientemente franqueadas darán lugar al cobro al destinatario de una tasa equivalente al doble monto del franqueo faltante.

Newspapers, etc., delivery service.

4. Los diarios, revistas y publicaciones periódicas, aceptados en el país de origen con sujeción a los servicios de franqueo pagado, serán distribuidos en el de destino sin percepción de ningún porte.

ARTICLE 10

Obligatory prepayment

1. With the exception of letters in their usual and ordinary form, complete prepayment of all classes of correspondence, including sealed packages, is declared obligatory.

2. Sealed packages, as well as other articles not prepaid or insufficiently prepaid, will be held at the office of origin, which will dispose of them in the manner prescribed by its domestic legislation.

3. Insufficiently prepaid letters will give rise to the collection from the addressee of a charge equivalent to twice the amount of the missing postage.

4. Newspapers, magazines and periodical publications accepted in the country of origin under the *postage paid* service will be delivered in the country of destination without collecting any charge.

ARTICULO 11

Peso y dimensiones

Weight and dimensions

40 Stat 2741.

Los límites de peso y dimensiones de los diversos objetos de correspondencia, se ajustarán a lo preceptuado para los mismos en el Convenio vigente de la Unión Postal Universal, con excepción de los impresos cuyo peso se elevará a 5 kilogramos, o bien hasta 10, cuando se trate de obras de un solo volumen. Sin embargo, y por lo que respecta a la aceptación de envíos con peso mayor de 5 y hasta 10 kilogramos, cuando no se trate de obras de un solo volumen, se hará previo acuerdo entre las Administraciones interesadas.

ARTICLE 11

Weight and dimensions

The limits of weight and dimensions of the various articles of correspondence will conform to those fixed therefor by the Universal Postal Convention in force, with the exception of prints, whose weight will be fixed at 5 kilograms, or even as much as 10 kilograms when it is a question of works in a single volume. However, in regard to the acceptance of articles with a weight greater than 5 but not exceeding 10 kilograms, when it is not a question of works in a single volume, a previous agreement will be made between the Administrations concerned.

ARTICULO 12

Objetos rezagados

Undelivered articles.

Las tarjetas postales, los impresos y las muestras sin valor, ordinarias, caídas en rezago por cualquier motivo, serán destruidas o tratadas de acuerdo con la regla-

ARTICLE 12

Undelivered articles

Ordinary post cards, prints, and samples without value, which have not been delivered for any reason will be destroyed or treated in accordance with the domestic

mentación interna del país de destino, salvo que lleven indicación de devolución y, además, el nombre y dirección del remitente, en cuyo caso se devolverán al país de origen.

legislation of the country of destination, unless they bear a request for return and also the name and address of the sender, in which case they will be returned to the country of origin.

ARTICULO 13

Franquicia de porte

1. Las partes contratantes convienen en conceder franquicia de porte, tanto en el servicio interno, como en el servicio américoespañol:

a) A la correspondencia relativa al servicio postal, cambiada entre las Administraciones de la Unión Postal de las Américas y España; entre esas Administraciones y la Oficina Internacional de Montevideo; entre las propias Administraciones y la Oficina de Transbordos de Panamá; entre esta última y la referida Oficina Internacional; entre las Oficinas postales de los países américo-españoles; y entre esas Oficinas y las Administraciones postales de los aludidos países;

b) A la correspondencia de los miembros del Cuerpo Diplomático de los países signatarios;

c) A la correspondencia oficial que los Cónsules remitan a sus respectivos países; a la que cambien entre sí; a la que dirijan al Gobierno del país en que estuvieren acreditados y a la que crucen con sus respectivas Embajadas y Legaciones, siempre que exista reciprocidad;

d) Gozarán de franquicia de porte los diarios, publicaciones periódicas, libros, folletos y otros impresos que expidan los editores o autores con destino a las Oficinas de Información establecidas por las Administraciones de Correos de la Unión Postal de las Américas y España, así como los que se remitan gratuitamente a las bibliotecas y demás centros culturales nacionales, oficialmente reconocidos por los Gobiernos de los países que integran esta Unión;

ARTICLE 13

Franking privilege

1. The contracting parties agree to grant the franking privilege, both in their domestic service and in the Americo-Spanish service:

(a) To correspondence relative to the postal service exchanged between Administrations of the Postal Union of the Americas and Spain; between those Administrations and the International Office of Montevideo; between the same Administrations and the Transfer Office of Panama; between the latter and the aforesaid International Office; between post offices of Americo-Spanish countries and between those offices and the Postal Administrations of the countries mentioned;

(b) To correspondence of members of the Diplomatic Corps of the signatory countries;

(c) To official correspondence which Consuls send to their respective countries; to that which they exchange among themselves; to that which they address to the Government of the country in which they are accredited, and to that which they exchange with their respective Embassies and Legations, whenever reciprocity exists;

(d) The franking privilege will be enjoyed by newspapers, periodical publications, books, pamphlets and other prints sent by publishers or authors to Information Offices established by Postal Administrations of the Postal Union of the Americas and Spain, as well as those sent free of charge to libraries and other national cultural centers officially recognized by the Governments of the countries forming this Union;

Franking privilege

Correspondence allowed

Diplomatic and consular correspondence

Newspapers, etc.

Pan American
Union

Official correspond-
ence of signatories.

National Commis-
sions of Intellectual
Cooperation.

Vice consuls when
acting consuls
Ante, p. 1665

Registration.

Diplomatic pouches.

Post, p. 1683.

Air service excepted.

e) A la correspondencia oficial que expida y reciba la Unión Panamericana de Washington;

2. Las correspondencias oficiales de los Gobiernos Centrales de los países de la Unión Postal de las Américas y España, que conforme a sus leyes interiores circulen libres de porte en su régimen interno, se admiten con la misma franquicia en el país de destino, sin ningún gravamen en el mismo, siempre que se observe una estricta reciprocidad.

3. Gozará asimismo, de franquicia de porte, la correspondencia de las Comisiones Nacionales de Cooperación Intelectual constituidas bajo los auspicios de los Gobiernos, de acuerdo con Convenciones Panamericanas y Universales vigentes.

4. La franquicia de porte concedida a los Cónsules por el parágrafo 1, letra c), se hará extensiva a los Vicecónsules, cuando éstos se hallaren en funciones de Cónsules.

5. La correspondencia a que se refieren los incisos a), b) y c), del parágrafo 1, podrá también exenta de porte, ser expedida con carácter certificado; pero sin derecho a indemnización alguna en caso de pérdida, extravío o avería.

6. El intercambio de correspondencia del Cuerpo Diplomático, entre las Secretarías de Estado de los respectivos países y sus Embajadas o Legaciones, tendrá el carácter de reciprocidad entre los países contratantes y será efectuado al descubierto o por medio de valijas diplomáticas de conformidad con lo determinado en el artículo 106 del Reglamento de Ejecución. Esas valijas, gozarán de franquicia y de todas las garantías de los envíos oficiales.

7. La franquicia de que trata el presente artículo, no tendrá aplicación en el servicio aéreo ni en los demás servicios especiales existentes en el régimen americano-español o en el régimen interno de los países contratantes.

(e) To official correspondence sent and received by the Pan American Union in Washington.

2. Official correspondence of the Central Governments of the countries of the Postal Union of the Americas and Spain which circulates free in their domestic service under their domestic legislation is admitted to the same franking privilege in the country of destination without the collection of any charge thereby, whenever strict reciprocity is observed.

3. The franking privilege will also be enjoyed by correspondence of National Commissions of Intellectual Cooperation set up under the auspices of the Governments in accordance with Pan American and Universal Conventions in force.

4. The franking privilege granted to Consuls by Section 1, letter (c), will be extended to Vice-Consuls when the latter are discharging the functions of Consuls.

5. The correspondence referred to by paragraphs (a), (b) and (c) of Section 1 may also be sent free of postage under registration, but without right to indemnity in case of loss, rifling or damage.

6. The exchange of correspondence of the Diplomatic Corps, between the Secretaries of State of the respective countries and their Embassies or Legations, will have a reciprocal character among the contracting countries, and will be effected in open mail or by means of diplomatic pouches, in accordance with the provisions of Article 106 of the Regulations of Execution. These pouches will enjoy the franking privilege and all safeguards of official dispatches.

7. The franking privilege dealt with in the present Article will not be applicable in the air service or in other special services existing in the Americo-Spanish régime or in the domestic services of the contracting countries.

ARTICULO 14

Reducción de tasas

Los envíos que remitan en canje las Direcciones de las Escuelas Primarias Nacionales a sus similares de los países de la Unión Postal de las Américas y España, gozarán de una tarifa especial equivalente al 50% de la ordinaria, siempre que su peso no exceda de un kilogramo y sujetos siempre a las condiciones que correspondan a su clasificación postal.

Queda exceptuada la correspondencia de carácter epistolar.

ARTICLE 14

Reduction of rates

Reduction of rates.

Articles exchanged by Directors of National Primary Schools and similar institutions of countries of the Postal Union of the Americas and Spain will enjoy a special rate equivalent to 50% of the ordinary rate, whenever their net weight does not exceed one kilogram and they comply with the conditions fixed for their postal classification.

National Primary Schools, etc.

Correspondence of an epistolary nature is excepted.

Epistolary correspondence.

ARTICULO 15

Prohibiciones

1. Sin perjuicio de lo que establezcan respecto a restricciones en la circulación de correspondencia, el Convenio vigente de la Unión Postal Universal y la legislación interior de cada país, no se dará curso:

a) A las publicaciones que atenten contra la seguridad y el orden público;

b) A toda publicación que contenga conceptos o imputaciones injuriosas contra el régimen legalmente constituido;

c) A las publicaciones pornográficas, y cualquier otro escrito o publicación cuyo texto se considere ofensivo a la moral y a las buenas costumbres;

d) A la correspondencia de cualquier naturaleza que tenga por objeto la comisión de fraudes, estafas o cualesquiera clase de delitos contra la propiedad o personas. A tal fin se procederá de acuerdo con lo que disponga la legislación interna de cada país;

e) A la que tenga por objeto, fundamentalmente, difundir en el pueblo doctrinas comunistas;

f) A la correspondencia que contenga dinero en efectivo, billetes de banco o valores al portador, ya se trate de ordinaria o certifi-

ARTICLE 15

Prohibitions

1. Without prejudice to the provisions of the Universal Postal Convention in force and of the domestic legislation of any country regarding restrictions on the circulation of correspondence, the following will not be forwarded:

(a) Publications endangering public safety and order.

(b) Any publication containing ideas or imputations injurious to the legally constituted régime.

(c) Pornographic publications, and any other writings or publications whose text is considered offensive to morals and good customs.

(d) Correspondence of any nature having for its object the commission of frauds, swindles or any kind of crimes against property or persons. To that end, the provisions of the domestic legislation of each country will be followed.

(e) That which has for its fundamental object the diffusion among the people of communistic doctrines.

(f) Correspondence containing money in cash, bank notes, or values payable to the bearer, whether it is a question of ordinary or reg-

Prohibitions.

Publications endangering public safety.

Injurious to legally constituted régime.

Pornographic publications.

Fraudulent, etc., correspondence.

Diffusion of communistic doctrines.

Money in cash, etc.

cada, salvo acuerdo en contrario entre las Administraciones interesadas.

Dispatch given through error.

2. Si no obstante lo dispuesto por el inciso f), por error u otra causa, llegare a darse curso a los envíos a que el mismo se refiere, las Administraciones de los países de destino quedan facultadas para entregarlos a sus respectivos destinatarios, si así lo autoriza su legislación interna, mediante los requisitos que la misma señale; y en caso contrario, serán devueltos a la Administración de origen.

istered correspondence, in the absence of agreement to the contrary between the Administrations concerned.

2. If, notwithstanding the provisions of paragraph (f), dispatch is given, through error or otherwise, to the articles referred to therein, the Administrations of the countries of destination are authorized to deliver them to their respective addressees if their domestic legislation permits, subject to the requirements provided for thereby; otherwise, the articles will be returned to the Administration of origin.

ARTICULO 16

Servicios especiales

Special services to other countries.

Las altas partes contratantes podrán, sobre la base de acuerdos especiales o por correspondencia, hacer extensivos a los demás países de la Unión Postal de las Américas y España los servicios postales que realicen o puedan, en lo futuro, establecer en el interior de sus respectivos países.

ARTICLE 16

Special services

The high contracting parties may, on the basis of special agreements or by correspondence, extend to the other countries of the Postal Union of the Americas and Spain such postal services as they carry on or may in the future establish within their respective countries.

ARTICULO 17

Franqueo pagado

Postage paid service.

Los países contratantes tendrán la facultad de adoptar el «Franqueo pagado» para el envío de diarios o publicaciones periódicas, abiertos o en paquetes, incluso los de propaganda o reclamo puramente comerciales, siempre que para estos últimos no se aplique una tarifa reducida.

ARTICLE 17

Postage paid service

The contracting countries will have the option of adopting the *Postage paid* service for the transmission of newspapers or periodical publications, open or in bundles, including those for propaganda or purely commercial advertising, provided that a reduced rate is not applied to the latter.

ARTICULO 18

Fórmulas de servicio enviadas por correo aéreo

Service forms sent by air mail
49 Stat. 2873.

Las fórmulas previstas en el Reglamento de ejecución del Convenio Postal Universal para los pedidos de retiro o modificación de dirección, así como las relativas a las reclamaciones de cualquier objeto de correspondencia, podrán ser encaminadas por la vía aérea.

ARTICLE 18

Service forms sent by air mail

The forms provided for in the Regulations of Execution of the Universal Postal Convention for requests for return or change of address, as well as those relative to inquiries about any article of correspondence, may be sent by air mail.

Tales fórmulas solamente tendrán curso, en el servicio aéreo, cuando sean incluidas en un sobre debidamente franqueado como correspondencia aérea, quedando para tal fin las Administraciones contratantes autorizadas a cobrar los portes y sobreportes necesarios para ese franqueo.

Las fórmulas así transmitidas llevarán la mención alusiva correspondiente en la parte superior de su anverso. Serán consideradas como de carácter urgente y tendrán por lo mismo preferente tratamiento entre las Administraciones interesadas.

Such forms will be forwarded by air mail only when they are inclosed in an envelope duly prepaid as airmail correspondence, the Administrations being authorized to collect, for that purpose, the postage and surcharges necessary for such prepayment.

The forms so transmitted will bear a note relative to the fact at the top of the front. They will be considered as urgent in character, and will therefore be given preferential treatment by the Administrations concerned.

ARTICULO 19

Idioma oficial

Se adopta el español como idioma oficial para los asuntos relativos al servicio de Correos. No obstante, los países cuyo idioma no fuere éste, podrán usar el propio.

ARTICLE 19

Official language

Spanish is adopted as the official language for matters relative to the postal service. Nevertheless, countries whose language is not this may use their own.

Official language.

ARTICULO 20

Protección e intercambio de funcionarios postales

1. Las Administraciones de los países contratantes estarán obligadas a prestarse entre sí, previa solicitud, la cooperación que necesiten sus empleados encargados del transporte de correspondencia en tránsito por tales países, e igualmente, proporcionarán toda clase de facilidades a los funcionarios que una de dichas Administraciones acuerde enviar a cualquiera otra, para llevar a cabo estudios acerca del desarrollo y perfeccionamiento de los servicios postales.

2. Las Administraciones, por intermedio de la Oficina Internacional de Montevideo, se pondrán de acuerdo para efectuar entre ellas, anualmente, un intercambio de funcionarios de similar categoría, con un período de permanencia de dos meses, como máximo.

ARTICLE 20

Protection and exchange of postal functionaries

1. The Administrations of the contracting countries will be obliged to lend mutually, upon request, the cooperation required by their employees charged with the transportation of correspondence in transit through such countries, and likewise will furnish all manner of facilities to such functionaries as one Administration may agree to send to any other to carry on studies regarding the development and perfection of postal services.

2. The Administrations, through the intermediary of the International Office of Montevideo, will come to agreements to effect an annual exchange of functionaries of similar grades, for a period of stay not exceeding two months.

Cooperation in transportation of correspondence.

Exchange of functionaries.

Division of ex-
penses

3. Una vez convenido el intercambio entre dos Administraciones, éstas acordarán la forma en que deban repartirse los gastos correspondientes, a iniciativa y por intermedio de la Oficina Internacional de Montevideo.

3. Once that the exchange is agreed upon between two Administrations, the latter will decide upon the manner in which the relative expenses are to be shared, at the initiative and through the intermediary of the International Office of Montevideo.

ARTICULO 21

ARTICLE 21

International Trans-
fer Office

Oficina Internacional de Transbordos

International Transfer Office

Continuance in
Panama

1. Queda subsistente en la República de Panamá una Oficina Internacional de Transbordos, a la cual corresponde recibir y reexpedir todos los despachos postales, originarios de las Administraciones de la Unión que no dispongan de servicios propios en el Istmo, y que transitando por el mismo, den lugar a operaciones de transbordo.

1. There shall continue to exist in the Republic of Panama an International Transfer Office, which is charged with receiving and forwarding all mail dispatches originating in Administrations of the Union which do not have their own service in the Isthmus which, upon passing in transit through the same, give rise to transfer operations.

Operation.

2. La expresada Oficina funcionará de acuerdo con el Reglamento concertado entre la Oficina Internacional de la Unión Postal de las Américas y España y la Administración Postal panameña.

2. Said Office will function in accordance with the Regulations agreed upon between the International Office of the Postal Union of the Americas and Spain and the Postal Administration of Panama.

Amendments.

3. Las reformas que en cualquier tiempo deban introducirse en el Reglamento aludido, se someterán por las Administraciones interesadas a la consideración de la Oficina Internacional de Montevideo, para que, por su mediación, se propongan a la Administración Postal de Panamá.

3. Amendments which at any time may have to be made in the aforesaid Regulations will be submitted by the Administrations concerned to the International Office at Montevideo for consideration in order that they may be proposed to the Postal Administration of Panama through its mediation.

Supervision and
control.

4. La organización y funcionamiento de la Oficina Internacional de Transbordos quedan sometidos a la vigilancia y fiscalización de la Dirección General de Correos y Telégrafos de Panamá y de la Oficina Internacional de la Unión Postal de las Américas y España con sede en Montevideo, a la cual incumbe actuar como mediadora y asesora en cualquier divergencia que surja entre la Administración Postal de Panamá y los países que utilicen los servicios de la Oficina mencionada.

4. The organization and operation of the International Transfer Office are subject to supervision and control by the Administration of Posts and Telegraphs of Panama and the International Office of the Postal Union of the Americas and Spain with headquarters in Montevideo, upon which latter it is incumbent to act as mediator and arbitrator in any dispute arising between the Postal Administration of Panama and countries which utilize the services of said Office.

Personnel.

5. El personal adscrito al servicio de la Oficina será designado por la Dirección General de Co-

5. The personnel attached to the service of the aforesaid Office will be designated by the Adminis-

reos y Telégrafos de Panamá, y tendrá carácter inamovible, conforme con las disposiciones que al respecto establece el Reglamento de la Oficina.

6. Los gastos que demande el sostenimiento de esta Oficina quedarán a cargo de los países que utilicen sus servicios, repartidos aquéllos proporcionalmente al número de valijas que intercambien por su mediación.

La Administración de Panamá adelantará las cantidades necesarias para mantener expeditos los servicios de la Oficina.

Dichas cantidades se reintegrarán trimestralmente por cada Administración interesada, pero los reintegros que no se produzcan dentro de un plazo de seis meses, a partir del vencimiento de cada trimestre, devengarán un interés de 5% anual, destinado a aumentar los recursos de sostenimiento de la Oficina de Transbordos.

tration of Posts and Telegraphs of Panama, and will be considered permanent, in accordance with the provisions established by the Regulations of the Office concerning it.

6. The expenses to which the maintenance of this Office gives rise will be borne by the countries which utilize its services, divided proportionally to the number of sacks which they exchange through its intermediary.

The Administration of Panama will advance the necessary funds for the maintenance of prompt services by the Office.

Said amounts will be repaid quarterly by each Administration concerned, but repayments which are not made within a period of six months after the expiration of each quarter will bear interest at the rate of 5% a year, for the purpose of increasing the maintenance funds of the Transfer Office.

Office expenses.

Advance of funds.

Repayment.

ARTICULO 22

Arbitrajes

Todo conflicto o desacuerdo que se suscite en las relaciones postales de los países contratantes, será resuelto por juicio arbitral que se realizará en la forma dispuesta por el Convenio vigente de la Unión Postal Universal. La designación de árbitros deberá recaer en los países signatarios, y llegado el caso, con intervención de la Oficina Internacional de la Unión Postal de las Américas y España.

ARTICLE 22

Arbitration

Every conflict or disagreement arising in the postal relations of the contracting countries will be settled by arbitration, which will be effected in the manner prescribed by the Convention of the Universal Postal Union in force. The designation of arbitrators shall be incumbent upon the signatory countries, with the intervention of the International Office of the Postal Union of the Americas and Spain, if necessary.

Arbitration.

ARTICULO 23

Oficina Internacional de la Unión Postal de las Américas y España

1. Con el nombre de Oficina Internacional de la Unión Postal de las Américas y España, funciona en Montevideo, bajo la alta inspección de la Dirección General de Correos de la República Oriental del Uruguay, una Oficina Cen-

ARTICLE 23

International Office of the Postal Union of the Americas and Spain

1. With the name of *International Office of the Postal Union of the Americas and Spain*, there functions in Montevideo, under the general supervision of the Administration of Posts of the Eastern Republic of Uruguay, a

International Office of the Postal Union of the Americas and Spain.

tral que sirve como órgano de relación, información y consulta de los países de la Unión.

Duties, etc., designated.

2. Esta Oficina se encargará:

a) De reunir, coordinar, publicar y distribuir los datos de toda clase que interesen especialmente al servicio postal américoespañol;

b) De emitir, a petición expresa de las partes interesadas, su opinión sobre cuestiones litigiosas;

c) De emitir, por propia iniciativa o a petición de cualquiera de las Administraciones de los países signatarios, su opinión en todos los asuntos de orden postal que afecten o tengan relación con los intereses generales de la Unión Postal de las Américas y España;

d) De dar a conocer las solicitudes de modificaciones de las Actas del Congreso que puedan formularse y de notificar los cambios que fueren adoptados;

e) De informar los resultados que se obtengan de las disposiciones y medidas reglamentarias de importancia que las Administraciones adopten en su servicio interno y que le sean comunicadas por las mismas, a título informativo;

f) De la distribución de los Mapas y Guías postales que le remitan las respectivas Administraciones, así como de recopilar los datos necesarios, para formar y distribuir un Mapa que señale las líneas aeropostales de las Américas y España;

g) De formular el resumen de la estadística postal américoespañola, de acuerdo con los datos que le comunique anualmente cada Administración;

h) De publicar un informe relativo a las vías más rápidas para la transmisión de la correspondencia de uno a otro de los países contratantes;

i) De formar un cuadro en que figuren detalladamente todos los servicios marítimos dependientes de los países de la Unión Postal de las Américas y España, que pue-

Central Office which serves as an organ of liaison, information and consultation for countries of the Union.

2. This Office will be charged with:

(a) Assembling, co-ordinating, publishing and distributing information of all kinds which specially concerns the Americo-Spanish postal service.

(b) Giving, at the express request of the parties concerned, its opinion on disputed questions.

(c) Giving, on its own initiative or at the request of any of the Administrations of the signatory countries, its opinion on all matters of a postal character which affect or relate to the general interests of the Postal Union of the Americas and Spain.

(d) Making known requests for modification of Acts of the Congress which are formulated, and giving notice of changes which are adopted.

(e) Making known the results obtained from the regulatory provisions and measures of importance which the Administrations adopt in their domestic service, which are communicated to it by the same Administrations as information.

(f) Distributing postal maps and guides which the respective Administrations send it, as well as collecting the necessary data to prepare and distribute a map indicating the airmail lines of the Americas and Spain.

(g) Making a summary of Americo-Spanish postal statistics, on the basis of data which each Administration communicates to it annually.

(h) Publishing a report relative to the most rapid routes for transmission of correspondence from one of the contracting countries to another.

(i) Preparing a table giving in detail all maritime services dependent upon countries of the Postal Union of the Americas and Spain which may be utilized

dan ser utilizados gratuitamente para el transporte de su correspondencia, en las condiciones marcadas por el artículo 3, precedente;

j) De publicar la tarifa de porte del servicio interior de cada uno de los países interesados y el cuadro de equivalencias;

k) De redactar y distribuir anualmente entre los países de la Unión Postal de las Américas y España una Memoria de los trabajos que realice;

l) De llevar a cabo los estudios y trabajos que se le pidan, en interés de los países contratantes y con relación a la obra de vinculación social, económica y artística, para cuyo efecto la Oficina Internacional estará siempre a disposición de dichos países, a fin de facilitarles cuantos informes especiales requieran sobre asuntos relativos al servicio de Correos américoespañol;

m) De intervenir y colaborar en la organización y realización de los Congresos y Conferencias de la Unión Postal de las Américas y España;

n) De la distribución, entre las Administraciones de la Unión Postal de las Américas y España, de las leyes y reglamentos postales de cada una; teniendo por consecuencia dichas Administraciones, la obligación de proporcionar a la mencionada Oficina veinticinco ejemplares de las expresadas leyes y reglamentos.

3. Los gastos especiales que demanden la formación de la Memoria anual y el cuadro de comunicaciones postales de los países contratantes, y los que se produzcan con motivo de la reunión de Congresos o Conferencias, serán sufragados por las Administraciones de dichos países, de acuerdo con las categorías establecidas en el artículo 111 del Reglamento de Ejecución.

Los gastos que se relacionen con la celebración de los expresados Congresos y Conferencias, serán fijados, en cada ocasión, por la Dirección General de Correos de

gratuitously for the transportation of their correspondence, under the conditions laid down by Article 3 preceding.

(j) Publishing the tariff of postage rates of the domestic service of each of the countries concerned, and the table of equivalents.

(k) Publishing and distributing among the countries of the Postal Union of the Americas and Spain, annually, a report of the work which it performs.

(l) Carrying out studies and works requested of it in the interests of the contracting countries, relative to work of social, economic and artistic cooperation, for which purpose the International Office will always be at the disposal of said countries, to furnish them any special information which they require on matters relative to the Americo-Spanish postal service.

(m) Taking part and collaborating in the organization and convening of Congresses and Conferences of the Postal Union of the Americas and Spain.

(n) Distributing among the Administrations of the Postal Union of the Americas and Spain the postal laws and regulations of each; said Administrations accordingly being obligated to furnish the Office mentioned twenty-five copies of the laws and regulations in question.

3. The special expenses arising from the preparation of the Annual Report and the Table of Postal Communications of the contracting countries, and those arising on account of meetings of Congresses or Conferences, will be shared by the Administrations of said countries in accordance with the classes established in Article 111 of the Regulations of Execution.

The expenses in connection with the holding of such Congresses and Conferences will be fixed on each occasion by the Administration of Posts of the Eastern Repub-

Special expenses

Post, p. 1686.

Congresses, etc., expenses.

la República Oriental del Uruguay, de acuerdo con la Oficina Internacional de Montevideo.

Supervision of office expenses

4. La Dirección General de Correos del Uruguay fiscalizará los gastos de la Oficina Internacional de la Unión Postal de las Américas y España y le hará los anticipos que ésta necesite.

Repayment of advances

5. Las cantidades adelantadas por la Administración del Uruguay en concepto de anticipos, a que se refiere el párrafo anterior, se abonarán por las Administraciones deudoras tan pronto como sea posible y, a más tardar, antes de seis meses, a partir de la fecha en que el país interesado reciba la cuenta formulada por la Dirección General de Correos del Uruguay. Después de esa fecha, las cantidades adeudadas devengarán interés a razón de 5% al año, a contar del día de expiración de dicho plazo.

Inclusion of annual amount in budget.

6. Los países contratantes se comprometen a incluir en sus presupuestos, una cantidad anual destinada a atender puntualmente al pago de la cuota que les corresponda sufragar.

lic of Uruguay, by agreement with the International Office of Montevideo.

4. The Administration of Posts of Uruguay will supervise the expenses of the International Office of the Postal Union of the Americas and Spain, and will make to it the advances which it requires.

5. The amounts advanced by the Administration of Uruguay in accordance with the foregoing Section will be repaid by the debtor Administrations as soon as possible, and, at the latest, before six months from the date on which the country concerned receives the account formulated by the Administration of Posts of Uruguay. After that date, the amounts due will bear interest at the rate of 5% a year, counting from the date of expiration of the said period.

6. The contracting countries are bound to include in their budgets an annual amount destined to take care promptly of the payment of their contributive quotas.

ARTICULO 24

ARTICLE 24

Congresses

Congresos

Congresses

Meetings.

1. Los Congresos se reunirán por lo menos, cada cinco años, a contar de la fecha en que fuere puesto en vigor el Convenio ajustado en el último.

1. Congresses will meet at least every five years, counting from the date on which the Convention concluded by the last one becomes effective.

Place and year

2. Cada Congreso fijará el lugar y el año en que deba realizarse la reunión del próximo.

2. Each Congress will fix the place and year in which the next one shall convene.

ARTICULO 25

ARTICLE 25

Proposiciones durante el intervalo de las reuniones

Propositions in the interval between meetings

Modification of Convention between meetings.
49 Stat 2753.

El presente Convenio podrá ser modificado en el intervalo que medie entre los Congresos, siguiendo el procedimiento establecido en el Convenio vigente de la Unión Postal Universal. Para que tengan fuerza ejecutiva las modificaciones deberán obtener unanimidad de votos para el presente

The present Convention may be modified in the interval between Congresses, following the procedure established in the Universal Postal Convention in force. In order to become effective, modifications must obtain unanimity of votes for the present Article and Articles 1, 2, 3, 4, 5, 8, 9, 12, 13,

artículo y para los números 1, 2, 3, 4, 5, 8, 9, 12, 13, 18, 21, 22, 23, 24, 26, 28, 29, 30 y 31; dos terceras partes de votos para los números 10, 14 y 15, y simple mayoría para los demás.

ARTICULO 26

Modificaciones y enmiendas

Las modificaciones o resoluciones adoptadas por las partes contratantes, aún aquellas de orden interno que afecten el servicio internacional, tendrán fuerza ejecutiva tres meses después de la fecha en que se comunicaren por la Oficina Internacional de la Unión Postal de las Américas y España.

ARTICLE 26

Modifications and amendments

Modifications or resolutions adopted by the contracting parties, even those of a domestic order which affect the international service, will become effective four months after the date of the relative notice from the International Office of the Postal Union of the Americas and Spain.

Modifications and amendments.

Effective date

ARTICULO 27

Aplicación del Convenio Postal Universal y de la legislación interna

1. Todos los asuntos que se relacionen con el canje de correspondencia entre los países contratantes y que no estén previstos en este Convenio, se sujetarán a las disposiciones del Convenio vigente de la Unión Postal Universal y su Reglamento; y lo que a su vez, no esté consignado en estos últimos, será materia de arreglos especiales entre las Administraciones interesadas.

2. Igualmente, la legislación interior de los dichos países se aplicará en todo aquello que no haya sido previsto por ambos Convenios.

ARTICLE 27

Application of Universal Postal Convention and domestic legislation

1. All matters in connection with the exchange of correspondence among the contracting countries which are not provided for in this Convention will be subject to the stipulations of the Universal Postal Convention in force and its Regulations; and, in turn, that which is not covered by these last two will form the subject of special agreements between the Administrations concerned.

2. Likewise, the domestic legislation of the said countries will apply to everything which has not been provided for in either Convention.

Application of Universal Postal Convention
49 Stat. 2741.

Domestic legislation.

ARTICULO 28

Proposiciones para los Congresos Universales

Todos los países que forman la Unión Postal de las Américas y España, se comunicarán, por conducto de la Oficina Internacional de Montevideo, las proposiciones que formulen para los Congresos Postales Universales, con seis meses de anticipación a la fecha en que deban celebrarse.

ARTICLE 28

Propositions for Universal Congresses

All the countries forming the Postal Union of the Americas and Spain will advise one another, through the intermediary of the International Office at Montevideo, of the propositions which they formulate for Universal Postal Congresses, six months in advance of the date on which they are to be held.

Propositions for Universal Congresses.

Advance notice.

ARTICULO 29

Unidad de acción en los Congresos Postales Universales

Unity of action.

Los países signatarios del Convenio Postal Americoespañol, que hubieren ratificado el mismo o lo hubieren puesto en vigencia administrativamente, se obligan a dar instrucciones a sus Delegados ante los Congresos Postales Universales, para que sostengan, unánime y firmemente, todos los principios establecidos en la Unión Postal de las Américas y España y para que voten también de acuerdo con esos postulados, quedando exceptuados sólo los casos en que las proposiciones a debate afecten exclusivamente a los países proponentes.

ARTICLE 29

Unity of action in Universal Postal Congresses

The countries signatory to the Americo-Spanish Postal Convention which have ratified the same or put it into force administratively obligate themselves to instruct their delegates to Universal Postal Congresses to sustain unanimously and firmly all principles established in the Postal Union of the Americas and Spain, and also to vote in accordance with those postulates, except only in cases where the propositions to be debated affect only the countries proposing them.

ARTICULO 30

Conferencias previas

Preliminary conferences.

1. Para los efectos del artículo anterior, los Delegados de los países que integran la Unión Postal de las Américas y España ante los Congresos Postales Universales, deberán reunirse en la ciudad designada como sede de éstos, quince días antes de la fecha de inauguración de los mismos, para la realización de una Conferencia previa, en la cual se determinarán los procedimientos de acción conjunta a realizarse.

2. Con la debida anticipación a la reunión de los Congresos Universales, la Oficina Internacional de la Unión Postal de las Américas y España invitará a todas las Administraciones que la integran, para celebrar las Conferencias previas a que alude el parágrafo anterior, debiendo organizarlas y estar presente en ellas el Director de la Oficina Internacional de Montevideo.

ARTICLE 30

Preliminary Conferences

1. In connection with Article 28, the Delegates of the countries composing the Postal Union of the Americas and Spain, prior to Universal Postal Congresses, shall assemble in the city designated as the seat of the Congress fifteen days before the date of inauguration thereof, in order to hold a preliminary conference, at which the procedure of joint action to be followed will be determined.

2. At the proper time before the meeting of Universal Congresses, the International Office of the Postal Union of the Americas and Spain will invite all the Administrations composing that Union to hold the preliminary conferences mentioned in the preceding Section; and the Director of the International Office of Montevideo is charged with organizing those conferences and attending them.

ARTICULO 31

Nuevas adhesiones

New adherences.

En caso de una nueva adhesión, el Gobierno de la República Oriental del Uruguay, de común acuerdo

ARTICLE 31

New adherences

In case of a new adherence, the Government of the Eastern Republic of Uruguay, by common

con el Gobierno del país interesado, denominará la categoría en la cual debe ser éste incluido a los efectos del reparto de los gastos de la Oficina Internacional.

consent with the Government of the country concerned, will determine the class in which said country is to be included, for purposes of sharing the expenses of the International Office.

ARTICULO 32

Vigencia y duración del Convenio y depósito de las ratificaciones

1. El presente Convenio empezará a regir el 1.º de octubre de 1937 y quedará en vigencia sin limitación de tiempo, reservándose cada una de las Partes Contratantes el derecho de retirarse de esta Unión, mediante aviso dado por su Gobierno al de la República Oriental del Uruguay, con un año de anticipación.

2. El depósito de las ratificaciones se hará en la ciudad de Panamá, República de Panamá, en el más breve plazo posible, procurándose que sea antes de la vigencia del Convenio y Acuerdo a que se refieran; y de cada una de aquéllas se levantará el Acta respectiva, cuya copia remitirá el Gobierno de la República de Panamá, por la vía diplomática, a los Gobiernos de los demás países signatarios.

3. Quedan derogadas, a partir de la fecha en que entre en vigor el presente Convenio, las estipulaciones del Convenio Postal de las Américas y España sancionado en Madrid el 10 de noviembre de 1931.

4. En el caso de que el Convenio no fuere ratificado por uno o varios de los países contratantes, no dejará de ser válido para los que lo hayan ratificado.

5. Los Países Contratantes podrán ratificar el Convenio y los Acuerdos, provisionalmente, por correspondencia, dando aviso de ello a las Administraciones respectivas por medio de la Oficina Internacional, sin perjuicio de que, según la legislación de cada país, y previa aprobación de los Congresos Nacionales, sea confirmada por la vía diplomática.

ARTICLE 32

Effective date and duration of Convention and deposit of ratifications

1. The present Convention will become effective October 1, 1937, and will remain in force without time-limit, each of the contracting parties reserving the right to withdraw from this Union by means of notice given by its Government to that of the Eastern Republic of Uruguay one year in advance.

2. The deposit of ratifications will be effected in the city of Panama, Republic of Panama, as soon as possible, preferably before the effective date of the Convention and Agreements in question, and the relative certificate will be made up for each of them, a copy of which will be sent by the Government of the Republic of Panama, through diplomatic channels, to the Governments of the other signatory countries.

3. The stipulations of the Postal Convention of the Americas and Spain sanctioned at Madrid on November 10, 1931, are abrogated, beginning with the date on which the present Convention enters into force.

4. In case that the Convention is not ratified by one or more of the contracting countries, it will nevertheless be valid for those which have ratified it.

5. The contracting countries may ratify the Convention and Agreements provisionally, by correspondence, giving notice thereof to the respective Administrations through the medium of the International Office, without prejudice to the fact that, according to the legislation of each country, and after approval by the National Congresses, it may be confirmed through diplomatic channels.

Effective date and duration of Convention

Reservation of right to withdraw

Deposit of ratifications.

Abrogation of former Convention. 47 Stat 1924.

Validity if not unanimously ratified

Provisional ratification

Signatures.

En fe de lo resuelto, los Plenipotenciarios de los Gobiernos de los países arriba citados, suscriben el presente Convenio en la ciudad de Panamá, República de Panamá, a los 22 días del mes de diciembre de 1936.

In faith of which, the Plenipotentiaries of the Governments of the countries above named sign the present Convention in the city of Panama, Republic of Panama, on the 22d day of the month of December, 1936.

Por Argentina:

LUIS S. LUTI

Por Bolivia:

JORGE E. BOYD

Por Brasil:

LEONIDAS DE SIQUEIRA

MENESES

JAYME DIAS FRANÇA

JULIO SÁNCHEZ PÉREZ

Por Canadá:

PETER T. COOLICAN

F. E. JOLLIFFE

Por Colombia:

ALFONSO PALACIO RUDAS

Por Costa Rica:

ENRIQUE FONSECA ZÚÑIGA

Por Cuba:

CARLOS A. VASSEUR

Por Chile:

SILVERIO BRAÑAS

MIGUEL A. PARRA

Por Dominicana:

MANUEL DE J. QUIJANO

Por Ecuador:

VICTORIANO ENDARA A.

VÍCTOR M. NARANJO

Por El Salvador:

JOSÉ E. ARJONA

Por España:

JOSÉ V. CHÁVEZ

JOSÉ ROBERTO MONTERO

Por Estados U. de América:

Por HARLLEE BRANCH,

JOHN E. LAMIELL

JOHN E. LAMIELL

STEWART M. WEBER

Por Guatemala:

TOMÁS ARIAS

Por Haití:

ANDRÉ FAUBERT

Por Honduras:

ALBERTO ZÚÑIGA

Por México:

JOSÉ V. CHÁVEZ

JOSÉ ROBERTO MONTERO

Por Nicaragua:

ADOLFO ALTAMIRANO

BROWNE

Por Panamá:

JOSÉ E. ARJONA

JUAN B. CHEVALIER

JUAN BRIN

CARLOS ORTIZ R.

TOMÁS H. JÁCOME

MANUEL DE J. QUIJANO

ANGELO FERRARI

Por Paraguay:

LUIS S. LUTI

Por Perú:

AUGUSTO S. SALAZAR

ERNESTO CÁCERES B.

Por Uruguay:

HUGO V. DE PENNA

Por Venezuela:

FRANCISCO VÉLEZ SALAS

CARLOS HARTMANN

PROTOCOLO FINAL DEL CONVENIO

FINAL PROTOCOL OF THE CONVENTION

Final Protocol of
the Convention.

En el momento de firmar el Convenio celebrado por el IVº Congreso Postal Américoespañol, los Plenipotenciarios que suscriben han convenido lo siguiente:

I

Los Estados Unidos de América se reservan el derecho, con carácter transitorio, de mantener sus tarifas actuales para los países de la Unión Postal de las Américas y España, que puedan ser más elevadas que las de su régimen interno.

II

Con relación al artículo 29 del Convenio, los Estados Unidos de América se reservan completa libertad de acción en los Congresos de la Unión Postal Universal.

III

Cada uno de los países contratantes se compromete a mantener los privilegios de que gocen actualmente los barcos de los demás países de la Unión Postal de las Américas y España que transportan gratuitamente la correspondencia, así como a concederles en lo futuro todos los privilegios que otorgue a los barcos de cualquier otro país que efectúen dicho servicio.

IV

Bolivia, Canadá, Colombia, Estados Unidos de América, España, México y Panamá declaran, que hacen una terminante reserva en el sentido de que no aceptan las disposiciones de los incisos b) y e) del artículo 15 del Convenio, por tratarse de asuntos extraños a la índole de los Congresos Postales y que corresponden exclusivamente a la legislación interna de cada país.

At the moment of signing the Convention concluded by the Fourth Americo-Spanish Postal Congress, the undersigned Plenipotentiaries have agreed upon the following:

I

The United States of America reserves the right, as a transitory measure, to maintain its present rates for countries of the Postal Union of the Americas and Spain which may be higher than those of its domestic service.

II

In connection with Article 29 of the Convention, the United States of America reserves complete liberty of action in Congresses of the Universal Postal Union.

III

Each of the contracting countries undertakes to maintain the privileges enjoyed at present by ships of other countries of the Postal Union of the Americas and Spain which transport mails free of charge, as well as to grant them in the future all privileges which it grants to ships of any other country which perform such service.

IV

Bolivia, Canada, Colombia, the United States of America, Spain, Mexico and Panama declare that they make a positive reservation in the sense that they do not accept the provisions of paragraphs (b) and (e) of Article 15 of the Convention, since it is a question of matters extraneous to the nature of Postal Congresses, which pertain exclusively to the domestic legislation of each country.

Ante, p. 1676.

Ante, p. 1667.

V

V

Ante, p. 1670.

Con referencia al párrafo 1.º del artículo 21, la República de Bolivia se reserva completa libertad de acción en lo concerniente a la utilización de los servicios de la Oficina Internacional de Transbordos.

With reference to Section 1 of Article 21, the Republic of Bolivia reserves complete freedom of action in regard to utilization of the services of the International Transfer Office.

VI

VI

Ante, p. 1665.

El Canadá formula una reserva en el sentido de que no puede aceptar las disposiciones de los incisos d) y e) del párrafo 1.º del artículo 13 y de los párrafos 2, 3 y 6 del mismo artículo.

Canada makes a reservation to the effect that it can not accept the provisions of paragraphs (d) and (e) of Section 1 of Article 13, and of Sections 2, 3 and 6 of the same Article.

Signatures.

Hecho en Panamá, a los 22 días de diciembre de 1936.

Done at Panama on the 22d day of December, 1936.

Por Argentina:

LUIS S. LUTI

Por Bolivia:

JORGE E. BOYD

Por Brasil:

LEONIDAS DE SIQUEIRA
MENESES

JAYME DIAS FRANÇA

JULIO SÁNCHEZ PÉREZ

Por Canadá

PETER T. COOLICAN

F. E. JOLLIFFE

Por Colombia:

ALFONSO PALACIO RUDAS

Por Costa Rica:

ENRIQUE FONSECA ZÚÑIGA

Por Cuba:

CARLOS A. VASSEUR

Por Chile:

SILVERIO BRAÑAS

MIGUEL A. PARRA

Por Dominicana:

MANUEL DE J. QUIJANO

Por Ecuador:

VICTORIANO ENDARA A.

VÍCTOR M. NARANJO

Por El Salvador:

JOSÉ E. ARJONA

Por España:

JOSÉ V. CHÁVEZ

JOSÉ ROBERTO MONTERO

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Por HARLLEE BRANCH,

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Por Guatemala:

TOMÁS ARIAS

Por Haití:

ANDRÉ FAUBERT

Por Honduras:

ALBERTO ZÚÑIGA

Por México:

JOSÉ V. CHÁVEZ

JOSÉ ROBERTO MONTERO

Por Nicaragua:

ADOLFO ALTAMIRANO

BROWNE

Por Panamá:

JOSÉ E. ARJONA

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JUAN BRIN

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TOMÁS H. JÁCOME

MANUEL DE J. QUIJANO

ANGELO FERRARI

Por Paraguay:

LUIS S. LUTI

Por Perú:

AUGUSTO S. SALAZAR

ERNESTO CÁCERES B.

Por Uruguay:

HUGO V. DE PEÑA

Por Venezuela:

FRANCISCO VÉLEZ SALAS

CARLOS HARTMANN

REGLAMENTO DE EJECUCIÓN DEL CONVENIO DE LA UNIÓN POSTAL DE LAS AMÉRICAS Y ESPAÑA

REGULATIONS OF EXECUTION OF THE CONVENTION OF THE POSTAL UNION OF THE AMERICAS AND SPAIN

Regulations of Execution.

celebrado entre:

concluded between

Argentina, Bolivia, Brasil, Canadá, Colombia, Costa Rica, Cuba, Chile, Dominicana, Ecuador, El Salvador, España, Estados Unidos de América, Guatemala, Haití, Honduras, México, Nicaragua, Panamá, Paraguay, Perú, Uruguay y Venezuela.

Argentina, Bolivia, Brazil, Canada, Colombia, Costa Rica, Cuba, Chile, the Dominican Republic, Ecuador, El Salvador, Spain, the United States of America, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela.

Contracting Powers.

Los infrascritos, en nombre de sus respectivas Administraciones, han aprobado las siguientes reglas para asegurar la ejecución del Convenio precedente.

The undersigned, in the name of their respective Administrations, have approved the following Regulations to assure the execution of the foregoing Convention:

ARTICULO 101

ARTICLE 101

Cambio de despachos

Exchange of mails

1. Las Administraciones de los países contratantes, podrán expedirse recíprocamente, por mediación de una o varias de ellas, tanto despachos cerrados como correspondencia al descubierto, en las condiciones citadas en el Convenio y Reglamentos vigentes de la Unión Postal Universal.

1. The Administrations of the contracting countries may send to one another reciprocally, through the intermediary of one or several of them, both closed mails and correspondence in open mail, under the conditions fixed by the Convention and Regulations in force in the Universal Postal Union.

Exchange of mails.

2. Cada Administración intermediaria estará obligada a cursar esta correspondencia por los medios más rápidos de que disponga para el envío de la suya propia, realizando el transporte gratuitamente cuando se trate de servicios que dependan de su Administración o percibiendo de la de origen las mismas cantidades que esté obligada a pagar cuando, para el transporte ulterior, se requieran servicios de Administraciones extrañas, a las cuales deba satisfacer aquellos gastos.

2. Each intermediary Administration will be obliged to forward this correspondence by the most rapid means which it has at its disposal for the dispatch of its own, effecting the transportation gratuitously when it is a question of services which are subordinate to its Administration, or collecting from the Administration of origin the same amounts as it is obliged to pay when, for its subsequent transmission, the correspondence requires the services of foreign Administrations to which such charges must be paid.

Obligation of rapid transit

ARTICULO 102

ARTICLE 102

Equivalencias

Equivalents

Las Administraciones se comunicarán, por conducto de la Oficina Internacional de la Unión

The Administrations will communicate to one another, through the intermediary of the Interna-

Intercommunication of domestic postage rates and equivalents.

Postal de las Américas y España, su tarifa interior, así como las equivalencias que se establezcan de dicha tarifa en francos oro de la Unión Postal Universal.

tional Office of the Postal Union of the Americas and Spain, their domestic postage rates, as well as the equivalents of said rates which are established in gold francs of the Universal Postal Union.

Effective date.

Entrarán en vigor en un día primero de mes y, cuando menos, sesenta días después de la respectiva notificación a la Oficina Internacional.

They will enter into force on the first of a month, and at least sixty days after the corresponding notice to the International Office.

ARTICULO 103

Formación de despachos—Sacos vacíos

Preparation of dispatches.

49 Stat. 2806.

Return of empty sacks.

1. Los despachos que contengan la correspondencia de intercambio entre dos países de la Unión Postal de las Américas y España, se confeccionarán con arreglo a lo dispuesto en el Reglamento de Ejecución del Convenio vigente de la Unión Postal Universal.

2. Los sacos utilizados por las Administraciones contratantes para el envío de la correspondencia, se devolverán vacíos por las Oficinas de Cambio destinatarias a las de origen, en la forma prescrita por el artículo relativo de dicho Reglamento. Sin embargo, las Administraciones podrán ponerse de acuerdo con el fin de utilizarlos para el envío de su propia correspondencia conviniendo asimismo la forma y cuantía en que ha de sufragarse, por ambas Administraciones, el coste de dichos envases.

ARTICLE 103

Preparation of dispatches—Empty sacks

1. Dispatches containing correspondence exchanged between two countries of the Postal Union of the Americas and Spain will be prepared in accordance with the provisions of the Regulations of Execution of the Convention of the Universal Postal Union in force.

2. The sacks utilized by the contracting Administrations for the dispatch of correspondence will be returned empty by the exchange offices of destination to those of origin, in the manner prescribed by the relative Article of said Regulations. However, Administrations may come to an agreement for the purpose of using them for the dispatch of their own correspondence, likewise agreeing on the manner and amount in which both Administrations are to share the cost of said containers.

ARTICULO 104

Franqueo de la correspondencia—“Franqueo pagado”—Cartas insuficientemente franqueadas

Prepayment of correspondence.
49 Stat. 2767.

Marking requirements.

1. La correspondencia cambiada entre los países contratantes se franqueará con arreglo a lo dispuesto en el Convenio vigente de la Unión Postal Universal.

2. En aquellos países de la Unión Postal de las Américas y España en que se haya establecido o se establezca el «Franqueo pagado» para los diarios y publicaciones periódicas, incluso las de

ARTICLE 104

Prepayment of correspondence—Postage paid service—Insufficiently prepaid letters

1. The correspondence exchanged among the contracting countries will be prepaid in accordance with the provisions of the Convention of the Universal Postal Union in force.

2. In those countries of the Postal Union of the Americas and Spain where the *Postage paid* service is or may be established for newspapers and periodical publications, including those for prop-

propaganda y reclamo, los paquetes que las contengan deberán llevar en su cubierta en forma clara la mención «Franqueo pagado».

Las Administraciones remitirán a las demás, por conducto de la Oficina Internacional de Montevideo, cualquier indicación útil para que las Oficinas de Cambio puedan distinguirlos fácilmente de aquellos que no gocen de dicho privilegio.

3. En el anverso de los sobres de las cartas insuficientemente franqueadas, la Administración de origen estampará el sello «T» y consignará la indicación en francos oro del importe de la insuficiencia.

aganda and advertising, the packages containing them shall bear on their covers the conspicuous note *Franqueo pagado* (Postage paid).

The Administrations will send to the others, through the intermediary of the International Office of Montevideo, any useful information so that the exchange offices may easily distinguish them from those which do not enjoy said privilege.

3. On the address side of the envelopes of insufficiently prepaid letters, the Administration of origin will place the T-stamp, and will indicate in gold francs the amount of the insufficiency.

Interchange of information.

Insufficiently prepaid letters.

ARTICULO 105

Pequeños paquetes

1. El acondicionamiento y envase de los pequeños paquetes se regirán por las mismas disposiciones establecidas para las muestras.

Además, deberá figurar en el exterior de las remesas el nombre y la dirección de los remitentes.

2. Será permitido incluir en esos objetos una factura abierta, reducida a sus enunciados constitutivos; o bien, una simple copia del sobrescrito de la remesa con indicación de la dirección del remitente.

3. Los paquetes, sean o no acompañados de declaración de aduana, deberán llevar siempre la etiqueta verde igual al modelo «C. I.» del Reglamento de ejecución de la Unión Postal Universal.

ARTICLE 105

Small packets

1. The preparation and packing of small packets will be governed by the same provisions as those fixed for samples.

Moreover, the names and addresses of the senders shall appear on the outside of the articles.

2. It will be permissible to inclose in such articles an open invoice, reduced to its essential features, or else a simple copy of the address of the article with indication of the address of the sender.

3. The packets, whether accompanied by customs declarations or not, shall always bear a green label conforming to Model C 1 of the Regulations of Execution of the Universal Postal Convention.

Small packets.

Packing, etc.

49 Stat. 2389.

ARTICULO 106

Valijas diplomáticas

1. El peso y dimensiones de las valijas diplomáticas que se cambien entre cada uno de los Ministerios de Relaciones Exteriores de los países de la Unión Postal de las Américas y España y sus representantes diplomáticos en los otros países, en virtud de lo dispuesto en el artículo 13 del Convenio, serán determinados de común acuerdo entre las partes interesadas, pero

ARTICLE 106

Diplomatic pouches

1. The weight and dimensions of diplomatic pouches exchanged between each of the Ministries of Foreign Relations of the countries of the Postal Union of the Americas and Spain and their diplomatic representatives in the other countries, by virtue of the provisions of Article 13 of the Convention, will be determined by common consent between the parties concerned,

Diplomatic pouches.

Weight and dimensions.

Formalities of sending.	no deberán exceder del peso máximo de 30 kilogramos. 2. Los Ministerios de Relaciones Exteriores y los representantes diplomáticos depositarán estas valijas en la Oficina de Correos, bajo recibo, y con la misma formalidad serán entregadas por éstas a sus destinatarios.	but must not exceed the maximum weight of 30 kilograms. 2. The Ministries of Foreign Relations and the diplomatic representatives will deposit these pouches in the post offices, taking a receipt, and they will be delivered by the post offices to their addresses with the same formality.
Fastenings.	3. Dichas valijas estarán provistas de cerraduras o candados de seguridad apropiados a la importancia de estos envíos.	3. Said pouches will be provided with safety fastenings or locks appropriate to the importance of such dispatches.
Transit routes.	4. Las valijas diplomáticas serán cursadas por las mismas vías que utilice la Administración expedidora para el envío de su correspondencia a la Administración de destino, anunciándose dicho envío por medio de una nota consignada en la hoja de aviso del despacho que las contenga.	4. Diplomatic pouches will be forwarded by the same routes used by the dispatching Administration for the transmission of its correspondence to the Administration of destination, their sending being announced by means of a note entered in the letter bill of the dispatch containing them.
Dispatch under franking privilege by air mail	5. Salvo acuerdo en contrario entre las partes interesadas, las valijas diplomáticas no se expedirán en franquicia por la vía aérea.	5. In the absence of agreement to the contrary between the parties concerned, diplomatic pouches will not be dispatched under the franking privilege by air mail.

ARTICULO 107

ARTICLE 107

Diplomatic and consular correspondence

*Correspondencia diplomática y consular**Diplomatic and consular correspondence*

Indications required

La Correspondencia diplomática y consular deberá llevar las siguientes indicaciones: el nombre de la Embajada, Legación o Consulado remitente y la inscripción, muy ostensible, de «Correspondencia diplomática», o «Correspondencia consular», además de la declaración «Libre de porte», la cual deberá hacerse debajo de aquella inscripción.

Diplomatic and consular correspondence shall bear the following indications: The name of the sending Embassy, Legation or Consulate, and the conspicuous inscription *Diplomatic correspondence* or *Consular correspondence*, in addition to the declaration *Libre de porte* (Free of postage), which shall appear under the former inscription.

ARTICULO 108

ARTICLE 108

*Estadística de derechos de tránsito**Transit statistics*Transit statistics
Ante, p. 1658.

Como consecuencia de la gratuidad del tránsito a que se refiere el artículo 3 del Convenio, las Administraciones de los países contratantes no efectuarán ninguna operación de estadística de derechos de tránsito, en relación con aquellos despachos que sólo contengan correspondencia americanoespañola, siempre que esta correspondencia se curse sin la mediación de países o servicios extraños a la Unión Postal de las Américas y España.

As a result of the gratuity of transit referred to by Article 3 of the Convention, the Administrations of the contracting countries will not perform any transit statistical operations in connection with dispatches containing Americano-Spanish correspondence exclusively, whenever this correspondence is forwarded without the intervention of countries or services foreign to the Postal Union of the Americas and Spain.

ARTICULO 109

Constitución de la Oficina Internacional

1. El Director de la Oficina Internacional será nombrado por el Gobierno de la República Oriental del Uruguay, a propuesta de la Dirección General de Correos de dicho país, y gozará de la retribución mensual de 500 pesos uruguayos.

El Secretario, el Oficial primero-Traductor y demás personal serán nombrados a propuesta del Director de la Oficina Internacional, por la Dirección General de Correos del Uruguay, fijándose el sueldo mensual del Secretario en la suma de 250 pesos uruguayos y el del Oficial primero-Traductor, en 150 pesos uruguayos.

Dicho personal sólo podrá ser removido de sus cargos con la intervención de la Dirección General de Correos del Uruguay y con arreglo a los procedimientos que a tal efecto rijan para los empleados fijos de la propia Dirección.

2. El Director de la Oficina Internacional concurrirá a los Congresos y Conferencias de la Unión Postal de las Américas y España, a los efectos del cumplimiento de lo dispuesto por los artículos 23 y 30 del Convenio; asistirá a las sesiones, pudiendo tomar parte en las discusiones, sin derecho a voto.

3. El idioma oficial de la Oficina Internacional es el español. No obstante, los países cuyo idioma no fuere éste, podrán usar el propio en sus relaciones con ella.

ARTICULO 110

Jubilaciones y pensiones

1. Las pensiones y jubilaciones del personal de la Oficina Internacional de Montevideo serán pagadas exclusivamente del fondo propio que, para tal objeto, tiene destinada dicha Oficina y que se forma con la contribución de todos los países de la Unión. Las con-

ARTICLE 109

Constitution of International Office

1. The Director of the International Office will be appointed by the Government of the Eastern Republic of Uruguay, at the proposal of the Administration of Posts of the said country, and will receive monthly compensation in the amount of 500 Uruguayan pesos.

The Secretary, the First Translating Official and the other personnel will be appointed, at the proposal of the Director of the International Office, by the Administration of Posts of Uruguay, the monthly salary of the Secretary being fixed at the sum of 250 Uruguayan pesos and that of the First Translating Official at 150 Uruguayan pesos.

The said personnel may be removed from their posts only with the intervention of the Administration of Posts of Uruguay, in accordance with the procedure established in that connection for permanent employees of the same Administration.

2. The Director of the International Office will attend Congresses and Conferences of the Postal Union of the Americas and Spain, for the purpose of complying with the provisions of Articles 23 and 30 of the Convention, and will be present at sessions, being permitted to take part in discussions without right to vote.

3. The official language of the International Office is Spanish. Nevertheless, countries whose language is not Spanish may use their own in relations with the Office.

Constitution of International Office.

Director, appointment.

Compensation

Secretary, and other personnel

Removal of employees

Attendance of Director at Congresses, etc

Ante, pp 1671, 1676

Official language

ARTICLE 110

Retirement and pensions

1. The pensions and retirement of personnel of the International Office of Montevideo will be paid exclusively from the special fund which the said Office has set aside for that purpose out of the contributions of all the countries of the Union. The conditions for and

Retirement and pensions.

diciones y el monto de esas jubilaciones y pensiones se sujetarán a las leyes sobre la materia vigentes en el Uruguay para sus propios funcionarios y empleados.

2. Una vez que el Gobierno del Uruguay haya expedido la reglamentación respectiva, ésta se dará a conocer a las Administraciones de la Unión, por conducto de la Oficina Internacional.

amount of such retirement and pensions will be governed by the laws on the subject in force in Uruguay for its own officers and employees.

2. Once that the Government of Uruguay has issued the respective regulations, the latter will be made known to the Administrations of the Union through the intermediary of the International Office.

ARTICULO 111

Cuentas y Gastos de la Oficina Internacional

1. Los gastos de la Oficina Internacional no podrán exceder de la cantidad de 13.000 pesos oro uruguayos por año, incluyéndose en dicha cantidad la constitución de un fondo para jubilación del personal de la misma.

2. Para la distribución de los gastos anuales y extraordinarios de la Oficina, los países contratantes se dividen en tres categorías, correspondiendo contribuir a los de la primera con ocho unidades; a los de la segunda con cuatro unidades, y a los de la tercera con dos unidades.

Pertenecen a la primera categoría: Argentina, Brasil, Canadá, España, Estados Unidos de América y Uruguay; a la segunda categoría: Colombia, Cuba, Chile, México y Perú, y a la tercera categoría: Bolivia, Costa Rica, Dominicana, Ecuador, El Salvador, Guatemala, Haití, Honduras, Nicaragua, Panamá, Paraguay y Venezuela.

3. La Dirección General de Correos de la República Oriental del Uruguay, formulará anualmente la cuenta de los gastos a que se refiere el artículo 23 del Convenio, y de acuerdo con éste, las Administraciones contratantes reintegrarán las sumas que aquella haya anticipado.

4. La Oficina Internacional practicará la liquidación de las cuentas relativas a los servicios que se ejecuten entre los países contratantes, salvo acuerdo en contrario, siguiendo para ello los procedimientos generales estable-

ARTICLE 111

Account and expenses of International Office

1. The expenses of the International Office may not exceed the annual sum of 13,000 Uruguayan gold pesos; said amount including the establishment of a retirement fund for the personnel thereof.

2. For the division of the annual and extraordinary expenses of the Office, the contracting countries are divided into three classes; those of the first class having to contribute eight units; those of the second, four units; and those of the third, two units.

The following belong to the first class: Argentina, Brazil, Canada, Spain, the United States and Uruguay; the following to the second class: Colombia, Cuba, Chile, Mexico and Peru; and the following to the third class: Bolivia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Nicaragua, Panama, Paraguay and Venezuela.

3. The Administration of Posts of the Eastern Republic of Uruguay will prepare annually the account of expenses referred to by Article 23 of the Convention, and, in conformity with that Article, the contracting Administrations will reimburse it for sums which it has advanced.

4. The International Office will effect the settlement of accounts relative to services carried on among the contracting countries, unless a contrary agreement is made, and will follow, in that connection, the general procedure es-

Expenses, limitation.

Division of expenses.

Annual account of expenses

Ante, p 1871.

Settlement.

cidos por el Convenio vigente de la Unión Postal Universal.

5. Mientras subsista la depreciación de la moneda uruguaya, la Dirección General de Correos del Uruguay bonificará en un 30% los sueldos establecidos en el artículo 109.

tablished by the Universal Postal Convention in force.

5. As long as the depreciation of Uruguayan money continues, the Administration of Posts of Uruguay will make a 30% increase in the salaries fixed by Article 109.

Salary adjustment.

Ante, p. 1685

ARTICULO 112

Informaciones—Peticiones de modificaciones de Actas

La Oficina Internacional estará siempre a disposición de las partes contratantes para facilitarles cuantos informes especiales requieran sobre asuntos relativos al servicio de Correos américo-español y dará curso a las peticiones de modificación o de interpretación de las disposiciones que rijan la Unión Postal de las Américas y España, y notificando el resultado de cada gestión.

ARTICLE 112

Information—Requests for modification of Acts

The International Office will always be at the service of the contracting parties, to furnish them whatever special information they require concerning matters connected with the Americo-Spanish postal service; and will circulate requests for modification or interpretation of the provisions governing the Postal Union of the Americas and Spain, and make known the result of each operation.

Furnishing of information.

Requests for modification, etc., of provisions.

ARTICULO 113

Publicaciones

1. La Oficina Internacional de la Unión Postal de las Américas y España dirigirá una circular especial cuando una Administración solicite la inmediata publicación de algún cambio que haya introducido en sus servicios y distribuirá asimismo, gratuitamente, a cada una de las Administraciones de los países contratantes y a la Oficina Internacional de Berna, los documentos que publique, debiendo remitir a cada Administración el número de ejemplares que le corresponda, en proporción a las unidades con que contribuye.

Los ejemplares suplementarios de los documentos que soliciten las Administraciones serán abonados por ellas a precio de coste.

2. La Oficina Internacional repartirá entre los países contratantes las proposiciones que reciba, conforme a lo que establece el artículo 28 del Convenio. Al efecto, todos los países de la Unión Postal de las Américas y España darán a conocer, por conducto de la misma Oficina y con la debida oportunidad, según se establece en el Convenio, las proposi-

ARTICLE 113

Publications

1. The International Office of the Postal Union of the Americas and Spain will send out a special circular when an Administration requests immediate publication of any change that has been introduced in its service, and will likewise furnish gratuitously, to each of the Administrations of the contracting countries and to the International Bureau of Berne, the documents which it publishes, allowing each Administration the number of copies which corresponds to the number of units which it contributes.

Additional copies of documents requested by Administrations will be paid for by them at cost.

Publications

Distribution of propositions.

Ante, p. 1675.

Notice to be given.

2. The International Office will distribute among the contracting countries the propositions which it receives in accordance with the provisions of Article 28 of the Convention. To that end, all countries of the Postal Union of the Americas and Spain will make known through the intermediary of the same Office, and in due time, as established by the Convention,

ciones que formulen para los Congresos Universales, con el fin de que tales iniciativas sean apoyadas por el conjunto de dichos países.

the propositions which they formulate for Universal Congresses, in order that such propositions may be supported by all the said countries.

ARTICULO 114

Documentos e informes que se remitirán a la Oficina Internacional

Documents and information to be sent to International Office.

1. La Oficina Internacional servirá de intermediaria para las notificaciones regulares y generales que interesen exclusivamente a las Administraciones de los países contratantes.

Las referidas Administraciones deberán enviar regular y oportunamente a la Oficina Internacional:

a) La Legislación postal y sus modificaciones sucesivas;

b) La Guía postal, cada vez que sea editada;

c) Los mapas y guías de las comunicaciones postales que utilicen, tanto para el servicio interno como para el internacional;

d) Un informe sobre las vías terrestres y marítimas más rápidas que puedan utilizarse para la transmisión de correspondencia;

e) Los resultados de su estadística postal anual y del movimiento con los demás países americanoespañoles.

f) El texto de las proposiciones que sometan a la consideración de los Congresos Postales Universales;

g) Los datos de toda clase que interesen al servicio postal americanoespañol, en cada ocasión en que dicte alguna nueva disposición;

h) Todos los informes que solicite la propia Oficina Internacional para las publicaciones, memorias y demás asuntos de su competencia, en forma tal que permitan la ejecución de su cometido en el más breve plazo;

i) Un cuadro en que figuren detalladamente todos los servicios marítimos dependientes de los países de la Unión Postal de las Américas y España que puedan ser utilizados gratuitamente por los demás para el transporte de su correspondencia.

2. Toda modificación ulterior será comunicada sin demora.

ARTICLE 114

Documents and information to be sent to International Office

1. The International Office will serve as intermediary for regular and general notifications which exclusively concern the Administrations of the contracting countries.

Said Administrations shall send to the International Office, regularly and promptly:

(a) Their postal legislation and its subsequent modifications.

(b) Their Postal Guide, each time that it is published.

(c) Maps and guides of postal communications which they utilize, for both domestic and international service.

(d) Information as to the most rapid territorial and maritime routes which may be used for transmission of correspondence.

(e) The results of the annual statistics of their postal traffic with other Americo-Spanish countries.

(f) The text of their propositions submitted to Universal Postal Congresses for consideration.

(g) Data of all kinds concerning the Americo-Spanish postal service, every time that some new provision is established.

(h) All information requested by the International Office itself for publication, reports and other matters pertaining to it, in such manner as to permit the execution of its task as soon as possible.

(i) A table showing in detail all maritime services belonging to countries of the Postal Union of the Americas and Spain which may be used gratuitously by the others for the transportation of their correspondence.

2. All subsequent modifications will be communicated without delay.

ARTICULO 115

Modificaciones en el intervalo de las reuniones de los Congresos

En el intervalo que transcurre entre las reuniones de los Congresos, las Administraciones tendrán derecho a formular proposiciones relativas al presente Reglamento, siguiendo el procedimiento indicado en el Convenio vigente de la Unión Postal Universal.

Para que tengan fuerza ejecutiva esas proposiciones, deberán reunir los dos tercios de los votos emitidos.

ARTICULO 116

Aplicación del Convenio Postal Universal y de la Legislación interna

1. Todos los asuntos que se relacionen con el cambio de correspondencia entre los países contratantes y que no estén previstos en este Reglamento, se sujetarán a las disposiciones del Reglamento del Convenio vigente de la Unión Postal Universal.

2. Igualmente la legislación interior de los mismos países se aplicará en todo aquello que no haya sido determinado por ambos Reglamentos.

ARTICULO 117

Vigencia y duración del Reglamento

El presente Reglamento empezará a regir el mismo día que el Convenio a que se refiere, y tendrá la misma duración que éste.

Hecho en la ciudad de Panamá, República de Panamá, a los 22 días del mes de diciembre de 1936.

Por Argentina:

LUIS S. LUTI

Por Bolivia:

JORGE E. BOYD

Por Brasil:

LEONIDAS DE SIQUEIRA
MENESES

JAYME DIAS FRANÇA

JULIO SÁNCHEZ PÉREZ

ARTICLE 115

Modifications in the interval between meetings of Congresses

In the interval which transpires between meetings of Congresses, Administrations will have the right to formulate propositions relative to the present Regulations, following the procedure indicated in the Convention of the Universal Postal Union in force.

In order to become effective, those propositions must obtain two-thirds of the votes cast.

ARTICLE 116

Application of Universal Postal Convention and domestic legislation

1. All matters in connection with the exchange of correspondence among the contracting countries which are not provided for in these Regulations will be subject to the stipulations of the Regulations of the Convention of the Universal Postal Union in force.

2. Likewise, the domestic legislation of the same countries will be applicable in everything that has not been determined by either set of Regulations.

ARTICLE 117

Effective date and duration of Regulations

The present Regulations will become effective on the same date as the Convention to which they relate, and will have the same duration.

Done in the city of Panama, Republic of Panama, on the 22d day of December, 1936.

Por Canadá

PETER T. COOLICAN

F. E. JOLLIFFE

Por Colombia:

ALFONSO PALACIO RUDAS

Por Costa Rica:

ENRIQUE FONSECA ZÚNIGA

Por Cuba:

CARLOS A. VASSEUR

Modifications between meetings.

Application of Universal Postal Convention.

49 Stat. 2756.

Domestic legislation.

Effective date and duration of Regulations.

Signatures.

Por Chile:

SILVERIO BRAÑAS
MIGUEL A. PARRA

Por Dominicana:

MANUEL DE J. QUIJANO

Por Ecuador:

VICTORIANO ENDARA A.
VÍCTOR M. NARANJO

Por El Salvador:

JOSÉ E. ARJONA

Por España:

JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

Por Estados U. de América:

*Por Harlee*¹ BRANCH,
JOHN E. LAMIELL

JOHN E. LAMIELL
STEWART M. WEBER

Por Guatemala:

TOMÁS ARIAS

Por Haití:

ANDRÉ FAUBERT

Por Honduras:

ALBERTO ZÚÑIGA

Por México:

JOSÉ V. CHÁVEZ
JOSÉ ROBERTO¹ MONTERO

Por Nicaragua:

ADOLFO ALTAMIRANO
BROWNE

Por Panamá:

JOSÉ E. ARJONA
JUAN B. CHEVALIER
JUAN BRIN
CARLOS ORTIZ R.
TOMÁS H. JÁCOME
MANUEL DE J. QUIJANO
ANGELO FERRARI

Por Paraguay:

LUIS S. LUTI

Por Perú:

AUGUSTO S. SALAZAR
ERNESTO CÁCERES B.

Por Uruguay:

HUGO V. DE PENNA

Por Venezuela:

FRANCISCO VÉLEZ SALAS
CARLOS HARTMANN

Ratification by
Postmaster General.

Having examined and considered the provisions of the foregoing Convention, Final Protocol of the Convention, and the Regulations of Execution of the Convention, signed in the city of Panama, Republic of Panama, on the twenty-second day of December, 1936, the same are by me, by virtue of the powers vested by law in the Postmaster General, hereby ratified and approved, by and with the advice and consent of the President of the United States.

In witness whereof, I have caused the seal of the Post Office Department of the United States to be hereto affixed this 12th day of August, 1937.

[SEAL]

JAMES A FARLEY
Postmaster General.

Approval by the
President.

I hereby approve the above-mentioned Convention, Final Protocol of the Convention, and the Regulations of Execution of the Convention, and in testimony thereof have caused the seal of the United States to be hereto affixed.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL
Secretary of State.

WASHINGTON, August 20, 1937.

¹ So in original.

VOTOS DEL CONGRESO

RESOLUTIONS OF THE CONGRESS¹

Resolutions of the Congress.

El IV Congreso Postal Américo-español recomienda a todos los países que forman esta Unión:

The Fourth Americo-Spanish Postal Congress recommends to all the countries forming this Union:

Recommendations.

I

I

Que constituyendo el servicio de encomiendas postales un medio que facilita las relaciones comerciales entre los países contratantes, sería conveniente derogar cuantos requisitos signifiquen una restricción para la efectividad de dicho servicio y suprimir la exigencia de facturas y visados consulares, así como los certificados de origen, para las encomiendas cuyo valor no exceda de 150 francos oro o su equivalencia.

That, as the parcel-post service constitutes a medium which facilitates commercial relations among the contracting countries, it would be fitting to abolish all requirements which signify a restriction on the effectiveness of said service, and to abolish the requirement for consular invoices and visas, as well as certificates of origin, for parcels whose value does not exceed 150 gold francs or the equivalent thereof.

Abolishment of requirements restricting service.

Consular invoices, visas, etc.

II

II

Que en vista de que los anuncios constituyen un medio de divulgación útil y conveniente, tendiente a aumentar el conocimiento de los pueblos, el Congreso opina que los envíos de tal naturaleza deberían ser transportados en el servicio postal internacional sin estar sujetos a derechos aduaneros o a requisitos que tiendan a limitar sus fines.

In view of the fact that advertisements constitute a useful and convenient medium for spreading information which tends to increase the knowledge of the peoples, it is the sense of the Congress that articles of that nature should be transported in the international postal service without being subject to customs duties or to requirements which tend to limit their aims.

Transit of advertisements.

III

III

Que las Administraciones de la Unión Postal de las Américas y España creen, a serles posible, una Oficina de Información en la sede de las Centrales de Correos, con un salón de lectura, en el cual se pongan a disposición del público, libros, diarios, revistas y publicaciones en general de los distintos países de la Unión, remitidos gratuitamente por los gobiernos, empresas editoriales, autores, etc.

That the Administrations of the Postal Union of the Americas and Spain create, if possible, Information Offices in the Central Post Offices, with reading rooms, in which are placed, at the disposal of the public, books, newspapers, magazines, and publications in general from the different countries of the Union, furnished gratuitously by the Governments, publishing companies, authors, etc.

Creation of information offices in central post offices.

IV

IV

Que gestionen de las Compañías de navegación de países extraños a la Unión Postal de las Américas

That they try to obtain from steamship companies of countries foreign to the Postal Union of the

Reduced steamship rates.

¹ Translation by Post Office Department.

y España que transporten su correspondencia, la rebaja de los fletes actuales, y que, en ningún caso, cobren por unidad de peso una suma mayor de la que perciban del país de origen, salvo en los casos en que por privilegio de paquete o de otra naturaleza, dichas Compañías estén obligadas al transporte gratuito.

Americas and Spain which transport their correspondence a reduction in the present rates, and their agreement in no case to collect a sum per weight-unit greater than that which they collect from the country of origin, except in cases where, due to packet or other privileges, said companies are obliged to perform gratuitous transportation.

V

V

Commemorative
postage stamps

Que los Gobiernos respectivos autoricen la emisión de sellos de correos para conmemorar la celebración de los Congresos Postales Américoespañoles, eligiendo, de acuerdo con la Oficina Internacional de Montevideo, diseños alegóricos de la reunión de los Congresos o de los vínculos de solidaridad y fraternidad que unen a los países de América con España.

That the respective Governments authorize the issuance of postage stamps in commemoration of the meeting of Americo-Spanish Postal Congresses, selecting, by agreement with the International Office of Montevideo, allegorical designs of the meeting of Congresses or of the bonds of solidarity and fraternity which unite the countries of America with Spain.

VI

VI

Air surcharges, etc.

Que las Administraciones de la Unión Postal Américoespañola, antes de la reunión del próximo Congreso, procedan a efectuar estudios cuidadosos respecto a la posibilidad de establecer sobretasas y gastos de transporte aéreos uniformes, tomando como base las sugerencias que figuran a continuación:

That the Administrations of the Americo-Spanish Postal Union, before the meeting of the next Congress, proceed to make careful study of the possibility of fixing uniform air surcharges and transportation charges, using the following suggestions as the basis:

Basis suggested.

*Sobretasas**Surcharges*

Surcharges.

1. Los objetos que deban transmitirse por la vía aérea, pagarán, además de las tasas postales reglamentarias, una sobretasa especial de transporte aéreo, determinada por la Administración del país de origen, sin que ella pueda exceder en ningún caso de 25 céntimos de franco oro por cada 5 gramos o fracción y por 1.500 kilómetros de recorrido aéreo.

1. Articles to be transmitted by air mail will be liable, in addition to the regular postage rates, to a special surcharge for air transportation, fixed by the Administration of the country of origin, which may in no case exceed 25 centimes of a gold franc for each 5 grams or fraction and for each 1500 kilometers of air transmission.

2. Cuando una Administración adopte para el franqueo de la correspondencia aérea una tasa que represente la totalidad de los portes, el monto del franqueo exigido no podrá ser superior al previsto en el parágrafo anterior.

2. When an Administration adopts, for the prepayment of air-mail correspondence, a charge representing the total of the rates, the amount of postage required may not be higher than that provided for in the preceding Section.

3. Para los objetos distintos a las cartas, tarjetas postales y valores declarados, el monto total del franqueo podrá reducirse en una 1/5 parte como mínimo.
3. For articles other than letters, post cards and insured articles, the total amount of postage may be reduced to one-fifth as a minimum.

*Gastos de Transporte**Transportation charges*

1. La tarifa básica para la liquidación de las cuentas relativas al transporte aéreo realizado entre los países de la Unión Postal Américoespañola será de 25 milésimos (0,025) de franco oro por kilogramo de peso bruto y por kilómetro, como máximo.

2. Cuando la correspondencia aérea hubiere de transitar por las líneas internas de los países intermediarios o de destino, dicho transporte será cubierto por la Administración de origen sobre la misma base prevista en el párrafo 1.

En lo que respecta a la Administración de destino, la bonificación será uniforme para todos los recorridos efectuados dentro de su territorio. A tal efecto, cada Administración indicará un promedio de sus gastos para su recorrido interno.

3. La misma tarifa de tránsito será aplicada a la correspondencia expedida de una Administración de la Unión, por intermedio de otra Administración américoespañola, para cualquier país que se rija por las disposiciones del régimen universal, en la parte que se relacione con los transportes efectuados dentro del territorio de las Américas y España.

4. El transporte de la correspondencia en tránsito efectuado por un país intermediario con destino a otro que no pertenezca a la Unión Postal Américoespañola, se someterá a las tasas y condiciones que dicho país haya indicado en la lista A. V. 1, editada por la Oficina de Berna.

1. The basic rate for settlement of accounts relative to air transportation performed between countries of the Americo-Spanish Postal Union will be 25 thousandths (0.025) of a gold franc per kilogram of gross weight and per kilometer, as a maximum.

2. When airmail correspondence must pass in transit over the domestic lines of the countries of intermediation or destination, said transportation will be paid for by the Administration of origin on the same basis as indicated in Section 1.

In regard to the Administration of destination, payment will be uniform for all transportation effected within its territory. To that end, each Administration will indicate an average charge for its domestic service.

3. The same transit rate will be applied to correspondence originating in one Administration of the Union, sent through the intermediary of another Americo-Spanish Administration to any country to which the provisions of the Universal régime are applicable, insofar as concerns transportation performed within the territory of the Americas and Spain.

4. The transportation of correspondence in transit effected by an intermediary country, destined for another country which does not belong to the Americo-Spanish Postal Union, will be subject to the rates and conditions which the said country has indicated in the list A V 1 published by the Bureau at Berne.

Air transportation charges.

VII

VII

Que inspirados en la obra inmortal realizada por el Adelantado Vasco Núñez de Balboa, con-

That, inspired by the immortal work performed by the intrepid Vasco Núñez de Balboa, consist-

Vasco Núñez de Balboa.

sistente en el descubrimiento del Océano Pacífico, obra sólo comparable a la verificada por el sublime visionario Cristóbal Colón.

ing of the discovery of the Pacific Ocean, which is comparable only to the work performed by that sublime visionary, Christopher Columbus;

Resuelvan:

They resolve:

Monumental lighthouse in memory of.

1. Gestionar ante los Gobiernos de los Estados Unidos de América y de Panamá, si fuere necesario, la autorización para que sea erigido en el territorio del Istmo, sobre el Pacífico, un faro monumental a la memoria de Vasco Núñez de Balboa, semejante al que se piensa erigir en la República Dominicana en honor de Cristóbal Colón, requiriendo para ello el concurso oficial y efectivo de todos los Gobiernos americanos para que emitan sellos especiales de franqueo, cuyo producto se dedicará a la construcción proyectada, mediante cuota, en análogas proporciones a la que aportan los países de la Unión Postal de las Américas y España para el sostenimiento de la Oficina Internacional de Montevideo.

1. To request from the Governments of the United States of America and Panama, if necessary, authorization for the erection on the Pacific, within the territory of the Isthmus, of a monumental lighthouse in memory of Vasco Núñez de Balboa, similar to the one whose erection is contemplated in the Dominican Republic in honor of Christopher Columbus, for that purpose calling on all the American Governments for official and effective cooperation by issuing special postage stamps, the proceeds of which will be dedicated to the proposed construction, on the basis of quotas in proportions similar to those contributed by the countries of the Postal Union of the Americas and Spain to the upkeep of the International Office of Montevideo.

Executive Committee to arrange for competitive plans, etc.

2. Facultar a esta misma Oficina para que, por la vía diplomática, obtenga del Gobierno de los Estados Unidos y del de la República de Panamá la designación de representantes que integren una Comisión ejecutiva que se entienda con la organización de un concurso para la presentación de planos y su selección, construcción de la obra, recaudación de fondos, etc.

2. To authorize the said Office to obtain, through diplomatic channels, from the Governments of the United States and Panama, the designation of representatives to constitute an Executive Commission which will arrange for the organization of a competition for the submission of plans and their selection, construction of the work, collection of funds, etc.

Notice of lighthouse completion.

3. Que una vez efectuada la construcción del faro, la Oficina Internacional comunique el hecho a los países interesados, a fin de que acuerden lo correspondiente al día de la inauguración.

3. That, as soon as the construction of the lighthouse is completed, the International Office shall give notice of the fact to the countries concerned, in order that they may come to an agreement concerning the day of inauguration.

VIII

VIII

Tourist post cards.

Que resuelvan la emisión de tarjetas postales de turismo a tarifa moderada, con vistas de las principales ciudades americanas y de España, y bellezas geográficas de cada país.

That they provide for the issuance of tourist post cards at a reduced rate, with views of the principal American and Spanish cities, and the geographic beauties of each country.

IX

Que recomienden la emisión de un sello oficial análogo para todas las naciones américoespañolas que no tenga denominación, sino que diga simplemente «Correspondencia oficial» o «Servicio del Estado».

That they recommend the issuance of an official postage stamp, similar for all Americo-Spanish nations, having no denomination, but simply reading *Correspondencia oficial* (Official correspondence) or *Servicio del Estado* (Government service).

Official postage stamp.

IX

X

Que establezcan el servicio de suscripciones a diarios y publicaciones periódicas, más o menos sobre las bases fijadas en el Acuerdo respectivo de la Unión Postal Universal.

That they establish the service of subscriptions to newspapers and periodical publications, more or less on the basis fixed by the respective Agreement of the Universal Postal Union.

Newspaper, etc., subscriptions.

X

XI

Que los países signatarios propendan a que la reducción de las tasas de transporte de la correspondencia por vía aérea, que tienen en estudio los Estados Unidos de América, sea lo más acentuada posible, a fin de que en un futuro cercano el servicio de transporte aéreo de la correspondencia no asuma el carácter que hoy tiene y se procure así su mayor difusión y aprovechamiento.

That the signatory countries make every effort so that the reduction in transportation charges for airmail correspondence now being studied by the United States of America may be as great as possible, in order that, in the near future, the service of air transportation may cease to have the character which it has today, and thus bring about its more widespread utilization.

Air transportation rate reduction.

XI

Parcel post agree-
ment.ACUERDO RELATIVO A
ENCOMIENDAS POSTALES

celebrado entre:

Contracting Powers.

Argentina, Bolivia, Brasil, Canadá, Colombia, Costa Rica, Cuba, Chile, Dominicana, Ecuador, El Salvador, España, Estados Unidos de América, Guatemala, Haití, Honduras, México, Nicaragua, Panamá, Paraguay, Perú, Uruguay y Venezuela.

Source of authority.

Los infrascritos, Plenipotenciarios de los Gobiernos de los países arriba mencionados, en ejercicio de la facultad concedida por el artículo 5 del Convenio vigente de la Unión Postal Universal convienen, a reserva de ratificación, en establecer el servicio de encomiendas de acuerdo con las cláusulas siguientes:

49 Stat. 2746.

ARTICULO 1

Objeto del Acuerdo

Object.

1. Bajo la denominación de «Encomienda Postal», o de las expresiones sinónimas «Paquete Postal» y «Bulto Postal», podrán expedirse de uno de los países precedentemente enumerados a cualquier otro de los mismos, esta clase de envíos.

Registration.

2. El remitente de una encomienda podrá certificarla pagando, además del franqueo, la misma tasa de certificación que tenga el país de origen.

Insured or collect-
on-delivery parcels.

3. Las encomiendas postales podrán ser expedidas con declaración de valor o contra reembolso, cuando los países adheridos convengan en adoptar estas modalidades del servicio en sus relaciones recíprocas.

Containers.

La expedición de tales envíos será obligatoria en envases de buenas condiciones, debidamente cerrados.

ARTICULO 2

Tránsito

Transit.

1. La libertad de tránsito queda garantizada en el territorio de cada uno de los países contratantes. En consecuencia, las

AGREEMENT RELATIVE TO
PARCEL POST

concluded between

Argentina, Bolivia, Brazil, Canada, Colombia, Costa Rica, Cuba, Chile, the Dominican Republic, Ecuador, El Salvador, Spain, the United States of America, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela.

The undersigned, Plenipotentiaries of the Governments of the countries above mentioned, in exercise of the option conferred by Article 5 of the Universal Postal Convention in force, agree, subject to ratification, to the establishment of parcel-post service in accordance with the following provisions:

ARTICLE 1

Object of Agreement

1. Under the denomination of *parcel post* (*Encomienda postal*, *Paquete postal* or *Bulto postal*), this class of mail matter may be sent from any one of the above-mentioned countries to any other of them.

2. The sender of a parcel may register it by paying, in addition to the postage, the same registration fee as has been fixed by the country of origin.

3. Parcels may be sent insured or collect-on-delivery, when the adhering countries agree to adopt these types of service in their reciprocal relations.

4. The dispatch of such parcels in containers in good condition, properly fastened, will be obligatory.

ARTICLE 2

Transit

1. Liberty of transit is guaranteed over the territory of every one of the contracting countries. Consequently, the various Admin-

diversas Administraciones podrán utilizar la mediación de uno o varios países para el cambio recíproco de encomiendas.

2. La transmisión de encomiendas se efectuará en despachos cerrados, o al descubierto cuando así lo convengan las Administraciones interesadas, debiéndose cursar por las vías más rápidas terrestres y marítimas que utilicen para sus propios envíos los países que intervengan en el transporte.

3. Las Administraciones remitentes estarán obligadas a enviar una copia de las hojas de ruta a cada una de las Administraciones intermediarias, cuando los despachos se hagan en tránsito cerrado.

ARTICULO 3

Peso y dimensiones

1. El peso máximo de cada encomienda será de 20 kilogramos, quedando las Administraciones en libertad de limitarlo a 10, cuando las posibilidades de sus medios internos lo hagan indispensable, previo aviso que darán a los demás países signatarios por conducto de la Oficina Internacional de Montevideo.

2. Los límites de peso para las encomiendas, serán los siguientes:

Hasta de 1 kilogramo;

De más de 1 y hasta 5 kilogramos;

De más de 5 y hasta 10 kilogramos;

De más de 10 y hasta 15 kilogramos;

De más de 15 y hasta 20 kilogramos.

3. Las dimensiones máximas de las encomiendas, serán fijadas por el acuerdo vigente de la Unión Postal Universal, relativo a este servicio; pudiendo sin embargo, las Administraciones contratantes admitir, previa la conformidad de los países intermediarios, encomiendas con otro límite de dimensiones.

4. Las encomiendas embarazosas, o sean las que exceden de 1,05 metros en cualquiera de sus lados, se admitirán solamente en las relaciones entre los países que por convenio especial estén dispuestos a efectuar su transporte.

Administrations may use the intermediary of one or more countries for the reciprocal exchange of parcels.

2. Parcels will be sent in closed mails, or in open mail when the Administrations concerned have so agreed, and shall be forwarded by the most rapid land and sea routes which are utilized for their own mails by the countries participating in the transportation.

3. The dispatching Administrations will be obliged to send a copy of the parcel bills to each of the intermediary Administrations, when the dispatches are sent in closed-mail transit.

ARTICLE 3

Weight and dimensions

1. The maximum weight of each parcel will be 20 kilograms, the Administrations remaining at liberty to limit it to 10, when the capacity of their domestic service makes that measure necessary, previous notice being given to the other signatory countries through the intermediary of the International Office of Montevideo.

2. The divisions of weight for parcels will be the following:

Up to 1 kilogram;

From 1 to 5 kilograms;

From 5 to 10 kilograms;

From 10 to 15 kilograms;

From 15 to 20 kilograms.

3. The maximum dimensions for parcels will be fixed by the Agreement of the Universal Postal Union in force relative to this service. Nevertheless, the contracting Administrations may, after obtaining the consent of the intermediary countries, accept parcels with other limits of dimensions.

4. Bulky parcels, i. e., those exceeding 1.05 meters in any direction, will be accepted only in relations between countries which are willing to effect their transportation by special agreement.

Manner of sending.

Parcel bills.

Weight and dimensions.

Maximum dimensions.

Exceptions.

Bulky parcels.

ARTICULO 4

Tarifas y bonificaciones

ARTICLE 4

Postage rates and payments

Postage rates and payments.

Maritime rates

Fixed rates.

Optional increase

Special authorization

No obligation to fix rate lower than domestic charge.

Proration of credit.

Table of land-transit rates

1. La tarifa de las encomiendas intercambiadas con arreglo a este Acuerdo, se forma únicamente con la suma de los portes de origen, tránsito y destino. Llegado el caso, se agregarán los derechos marítimos previstos en el Acuerdo vigente de la Unión Postal Universal, sobre cambio de encomiendas postales.

2. Los portes de origen, tránsito y destino se fijan para cada país, en francos oro o su equivalente como sigue:

25 céntimos por encomienda hasta de 1 kilogramo;

50 céntimos por encomienda de más de 1 y hasta 5 kilogramos;

100 céntimos por encomienda de más de 5 y hasta 10 kilogramos;

150 céntimos por encomienda de más de 10 y hasta 15 kilogramos;

200 céntimos por encomienda de más de 15 y hasta 20 kilogramos.

3. Sin embargo, las Administraciones contratantes tendrán la facultad de aumentar estos portes hasta el duplo de los mismos.

4. Las Administraciones que en el régimen universal gocen de autorizaciones especiales para elevar los derechos consignados en los dos párrafos anteriores, podrán también hacer uso de dichas autorizaciones en el régimen américoespañol.

5. A pesar de lo dispuesto en los párrafos anteriores, ninguna Administración contratante estará obligada a señalar una tarifa inferior a la que tenga establecida para esta clase de envíos en su servicio interno.

6. La Administración de origen acreditará a cada una de las Administraciones que intervengan en el transporte, incluso a la de destino, los portes correspondientes con arreglo a lo dispuesto en los párrafos anteriores.

7. La Oficina Internacional editará y distribuirá el cuadro de los portes de tránsito territorial y los de salida y llegada que correspondan a cada Administración, actualizándolo por medio de suplementos.

1. The postage on parcels exchanged under this Agreement is composed only of the sum of the rates of origin, transit and destination. If necessary, the maritime rates provided for by the Agreement of the Universal Postal Union in force concerning the exchange of parcel post will be added.

2. The rates of origin, transit and destination are fixed for each country, in gold francs or their equivalent, as follows:

25 centimes for parcels up to 1 kilogram;

50 centimes for parcels from 1 to 5 kilograms;

100 centimes for parcels from 5 to 10 kilograms;

150 centimes for parcels from 10 to 15 kilograms;

200 centimes for parcels from 15 to 20 kilograms.

3. However, the contracting Administrations will have the option of increasing these rates up to double their amount.

4. Administrations which, in the Universal service, are specially authorized to increase the rates set forth in the two preceding Sections, may also make use of such authorization in the Americo-Spanish service.

5. Notwithstanding the provisions of the foregoing Sections, no contracting Administration will be obliged to fix a rate lower than that which it has established for this class of articles in its domestic service.

6. The Administration of origin will credit each of the Administrations taking part in the transportation, including that of destination, with the corresponding charges, in accordance with the provisions of the foregoing Sections.

7. The International Office will publish and distribute the table of land-transit rates and those of origin and destination payable to each Administration, keeping it up to date by means of supplements.

ARTICULO 5

Derechos por despacho de aduanas, entrega, almacenaje y otros

1. Las Administraciones de destino podrán cobrar a los destinatarios de las encomiendas:

a) Un derecho de 50 céntimos de franco oro o su equivalencia, como máximo, por las operaciones, formalidades y trámites inherentes al despacho de aduanas;

b) Un derecho de 50 céntimos de franco oro o su equivalencia, como máximo, por la conducción y entrega de cada encomienda en el domicilio del destinatario.

Cuando las encomiendas no sean entregadas en el domicilio del destinatario, éste deberá ser avisado de la llegada. En este caso, las Administraciones cuyo régimen interior lo exija, percibirán un derecho especial por la entrega de dicho aviso. Este derecho no podrá exceder del porte sencillo de una carta ordinaria del servicio interior;

c) Un derecho diario de almacenaje, que no podrá exceder del señalado por la legislación postal de cada país, cobrado a partir de los plazos prescritos en ella, sin que en ningún caso el total a percibir puede exceder de 5 francos oro o su equivalencia;

d) Los derechos arancelarios y todos los demás derechos no postales que establezca su legislación interior;

e) La cantidad que corresponda por concepto de derecho consular, cuando no se hubiere abonado de antemano por el remitente;

f) El derecho de reembalaje de 30 céntimos como máximo, previsto en el Acuerdo correspondiente del Convenio Postal Universal vigente. Este derecho se hará efectivo al destinatario o al remitente, según el caso.

2. Quedarán exentas del pago de derechos postales de entrega las encomiendas destinadas a los Cónsules y Vicecónsules en ejercicio, cuando las mismas contuvieren artículos no sujetos al pago de derechos aduaneros.

ARTICLE 5

Customs-clearance, delivery, storage and other charges

1. The Administrations of destination may collect from the addressees of parcels:

(a) A fee of 50 centimes of a gold franc or the equivalent thereof, as a maximum, for the operations, formalities and transactions in connection with customs handling;

(b) A fee of 50 centimes of a gold franc or the equivalent thereof, as a maximum, for the transmission and delivery of each parcel to the address of the addressee.

When parcels are not delivered at the address of the addressee, the latter shall be advised of their arrival. In this case, Administrations whose domestic regulations require it will collect a special fee for the delivery of such notice. This fee may not exceed the postage for a single weight-unit of an ordinary letter in the domestic service;

(c) A daily storage charge which may not exceed that fixed by the postal legislation of each country, charged from the time prescribed therein, provided that the total to be collected may in no case exceed five gold francs or the equivalent thereof;

(d) The customs duties and all other non-postal charges which their domestic legislation establishes;

(e) The amount corresponding to the consular fee, when it has not been prepaid by the sender;

(f) The repacking fee of 30 centimes at most provided for in the corresponding Agreement under the Universal Postal Convention in force. This fee will be collected from the addressee or from the sender, according to circumstances.

2. Parcels addressed to Consuls and Vice-Consuls acting as Consuls will be exempt from payment of postal delivery fees when they contain articles not liable to payment of customs duties.

Customs, etc., charges.

ARTICULO 6

Anulación de los derechos aduaneros

Cancellation of customs duties.

Las Administraciones contratantes se comprometen a gestionar ante los poderes competentes de sus respectivos países, dentro del menor plazo posible, la anulación de los derechos aduaneros relativos no solamente a las encomiendas devueltas al país de origen, sino también a las destruidas por cualquier motivo o reexpedidas para un tercer país.

Del mismo modo procederán las Administraciones, en lo que respecta a las encomiendas perdidas, expoliadas o averiadas en su servicio.

ARTICLE 6

Cancellation of customs duties

The contracting Administrations undertake to make representations to the competent authorities of their respective countries as soon as possible, with a view to obtaining cancellation of the relative customs duties, not only on parcels returned to the country of origin, but also on those destroyed for any reason or forwarded to a third country.

The same procedure will be followed by the Administrations with respect to parcels lost, rifled or damaged in their service.

ARTICULO 7

Prohibición de otros gravámenes

Other charges prohibited.

Las encomiendas de que trata el presente Acuerdo no pueden ser gravadas con otros derechos postales fuera de los establecidos precedentemente.

Sin embargo, las Administraciones que convengan entre sí la admisión de encomiendas contra reembolso o con valor declarado, estarán autorizadas para percibir los derechos especiales relativos a esta clase de envíos.

Exceptions.

ARTICLE 7

Prohibition against other charges

The parcels of which the present Agreement treats may not be subjected to any other postal charges than those established in the foregoing Articles.

However, Administrations which agree among themselves on the admission of collect-on-delivery or insured parcels will be authorized to collect the special charges relative to these classes of articles.

ARTICULO 8

Responsabilidad

Responsibility.

1. Las Administraciones serán responsables de la pérdida, subtracción o avería de las encomiendas ordinarias o certificadas.

El remitente tendrá derecho por este concepto a una indemnización equivalente al importe real de la pérdida, subtracción o avería. Esta indemnización no podrá exceder de:

10 francos oro por encomienda hasta el peso de 1 kilogramo;

25 francos oro por encomienda de más de 1 y hasta 5 kilogramos;

40 francos oro por encomienda de más de 5 y hasta 10 kilogramos;

55 francos oro por encomienda de más de 10 y hasta 15 kilogramos;

70 francos oro por encomienda de más de 15 y hasta 20 kilogramos.

ARTICLE 8

Responsibility

1. The Administrations will be responsible for loss, rifling or damage of ordinary or registered parcels.

The sender will be entitled on that account to an indemnity equivalent to the actual amount of loss, rifling or damage. This indemnity may not exceed:

10 gold francs for each parcel up to 1 kilogram;

25 gold francs for each parcel from 1 to 5 kilograms;

40 gold francs for each parcel from 5 to 10 kilograms;

55 gold francs for each parcel from 10 to 15 kilograms;

70 gold francs for each parcel from 15 to 20 kilograms.

Indemnity.

2. La indemnización se calculará según el precio corriente de la mercancía de la misma clase en el lugar y en la época en que la encomienda fuere aceptada para su transporte.

3. Por las encomiendas aseguradas, cambiadas entre aquellas Administraciones que convengan en establecer esta modalidad del servicio, la indemnización no podrá exceder de la declaración de valor.

4. En los casos de averías en las encomiendas, al recibirse en las Oficinas destinatarias, éstas deberán levantar un acta haciendo constar las circunstancias en que fueron recibidos los envíos, muy especialmente respecto al estado de los cierres y envases, que serán enviados a la Oficina de origen acompañados de un ejemplar del acta y del boletín de verificación correspondiente, así como también de las piezas certificativas.

Sólo deberá expedirse a los destinatarios constancias de esos faltantes, cuando las disposiciones del régimen interior de cada país así lo autoricen.

Igual procedimiento seguirán las Oficinas de origen, cuando se trate de encomiendas devueltas.

2. The indemnity will be calculated according to the current price of merchandise of the same kind at the place where and the time when the parcel is accepted for mailing.

3 For insured parcels exchanged between those Administrations which agree to establish this type of service, the indemnity may not exceed the insured value.

4. In cases where parcels are damaged when received at the offices of destination, the latter shall draw up a report setting forth the circumstances under which the parcels were received, particularly the condition of the fastenings and containers, which will be sent to the office of origin accompanied by a copy of the report and the corresponding bulletin of verification, as well as the other supporting evidence.

The addressees shall be notified of such irregularities only when the provisions of the domestic legislation of each country authorizes such action.

The same procedure will be followed by the offices of origin in the case of returned parcels.

Damaged parcels.

ARTICULO 9

Encomiendas pendientes de entrega

1. Se fija en 30 días el plazo dentro del cual deben mantenerse las encomiendas a disposición de los interesados, en la Oficina de destino, pudiéndose ampliar hasta 90 días dicho plazo, por acuerdo de las Administraciones interesadas y en la inteligencia de que, en todo caso, la devolución se hará previa consulta al remitente.

2. Los remitentes, por virtud de las disposiciones contenidas en el párrafo anterior, estarán obligados a indicar en el boletín de expedición o en la declaración de aduana, en qué forma ha de procederse con sus envíos en caso de no poder ser entregados, sujetándose a una de las siguientes modalidades:

a) que la encomienda sea devuelta al origen;

ARTICLE 9

Parcels pending delivery

1. The period for which parcels must be held at the disposal of the interested parties at the office of destination is fixed at 30 days. That period may be increased to 90 days by agreement between the Administrations concerned, it being understood that in every case the return will be effected without previously consulting the sender.

2. The senders, by virtue of the provisions contained in the preceding Section, will be obliged to indicate on the dispatch note or customs declaration what disposal is to be made of their parcels in case of non-delivery, limiting themselves to one of the following instructions:

(a) That the parcel be returned to origin;

Parcels pending delivery; period to be held.

Disposition to be indicated.

b) que la encomienda se entregue a otro destinatario;
c) que la encomienda se considere abandonada.

(b) That the parcel be delivered to another addressee;
(c) That the parcel be considered as abandoned.

ARTICULO 10

Declaraciones fraudulentas

Fraudulent declarations.

1. En los casos en que se compruebe que los remitentes de una encomienda, por sí o de acuerdo con los destinatarios, declaren con falsedad la calidad, peso o medida del contenido; o que por otro medio cualquiera traten de defraudar los intereses fiscales del país de destino, eludiendo el pago de los derechos de importación, ocultando objetos o declarándolos en forma tal que evidencie la intención de suprimir o reducir el importe de esos derechos, queda facultada la Administración interesada para disponer de esos envíos conforme a su legislación interna, sin que ni el remitente, ni el destinatario, tengan derecho a su entrega, devolución o indemnización.

Notification

2. La Administración que confisque una encomienda, de conformidad con la precedente autorización, deberá notificarlo al destinatario y a la Administración de origen.

ARTICLE 10

Fraudulent declarations

1. In cases where it is proved that the senders of parcels, by themselves or by agreement with the addressees, falsely declare the quality, weight or measure of the contents, or in any other way attempt to defraud the fiscal interests of the country of destination by avoiding payment of import duties, concealing articles or declaring them in such a way as to show the evident intention of nullifying or reducing the amount of such duties, the Administration concerned is authorized to dispose of those articles in accordance with its domestic legislation, and neither the sender nor the addressee will have any right to delivery, return or indemnity.

2. The Administration confiscating a parcel in accordance with the preceding authorization shall notify the addressee and the Administration of origin.

ARTICULO 11

Encomiendas para segundos destinatarios

Parcels for second addressees.

Los remitentes de encomiendas dirigidas al cuidado de Bancos u otras entidades, para entregar a segundos destinatarios, estarán obligados a consignar en las etiquetas, fajillas o envolturas de aquéllas, el nombre y dirección exactos de las personas a quienes estuvieren destinados estos envíos. Sin embargo, se dará aviso al segundo destinatario de la existencia de esa encomienda, pudiéndose percibir el derecho fijado en el artículo 5; pero sin que pueda reclamar su entrega, sino mediante una autorización escrita del primer destinatario o del remitente. Este último deberá, en tal caso, gestionar la entrega por conducto de la Administración de origen.

Ante, p. 1699.

ARTICLE 11

Parcels for second addressees

Senders of parcels addressed in care of banks or other organizations for delivery to second addressees will be obliged to state on the tags, labels or wrappers thereof the exact names and addresses of the persons for whom such parcels are intended. Nevertheless, the second addressee will be notified that such parcel is on hand, and the fee provided for by Article 5 may be collected; but he may not claim delivery without the written authorization of the first addressee or of the sender. The latter shall, in that case, arrange for its delivery through the Administration of origin.

ARTICULO 12

ARTICLE 12

*Encomiendas abandonadas o devueltas**Abandoned or returned parcels*

1. Las encomiendas abandonadas o que devueltas no puedan ser entregadas a sus remitentes, quedarán a disposición de las Administraciones de destino u origen, según el caso, para que procedan con esos envíos conforme a su legislación interior, transcurrido un plazo de 90 días.

2. Las Administraciones destinatarias podrán devolver desde luego las encomiendas que hubieren sido rehusadas.

3. Las Administraciones podrán cobrar por cada encomienda que devuelvan al origen, en calidad de rezagada, las siguientes cantidades:

- a) La que le corresponda como tasa terminal;
- b) Los derechos de tránsito marítimo a que se refiere el numeral 1 del artículo 4;
- c) Los derechos que adeuden las encomiendas en el país de destino por concepto de reexpediciones;
- d) El derecho a que se refiere la letra a) del artículo 5;
- e) El derecho de almacenaje de que trata la letra c) del artículo 5; y
- f) El derecho de reembalaje.

1. Abandoned parcels, or those returned to origin which can not be delivered to the senders, will remain at the disposal of the Administration of destination or origin, as the case may be, and be treated in accordance with their domestic legislation, after the expiration of a period of 90 days.

2. The Administrations of destination may immediately return parcels which have been refused.

3. The Administrations may collect, for each parcel returned to origin as undeliverable, the following amounts:

- (a) The amount due them as the terminal charge;
- (b) The sea-transit charges referred to in Section 1 of Article 4;
- (c) The charges due on the parcels in the country of destination on account of forwarding;
- (d) The fee mentioned in letter (a) of Article 5;
- (e) The storage charges indicated in letter (c) of Article 5;
- (f) The repacking fee.

Abandoned or returned parcels.

ARTICULO 13

ARTICLE 13

*Proposiciones durante el intervalo de las reuniones**Propositions in the interval between meetings*

El presente Acuerdo podrá ser modificado en el intervalo que media entre los Congresos, siguiendo el procedimiento establecido en el Convenio vigente de la Unión Postal Universal.

Para que tengan fuerza ejecutiva las modificaciones, deberán obtener:

a) unanimidad de sufragios, si se trata de introducir nuevas disposiciones de modificar el presente artículo y las de los artículos 1, 2, 3, 4, 5, 7, 8, y 9;

b) dos tercios de sufragios para modificar las demás disposiciones.

The present Agreement may be modified in the interval which transpires between Congresses, following the procedure established by the Convention of the Universal Postal Union in force.

In order to become effective, modifications must obtain:

(a) Unanimity of votes, if it is a question of introducing new provisions or modifying the present Article or Articles 1, 2, 3, 4, 5, 7, 8 and 9;

(b) Two-thirds of the votes, in order to modify the other provisions.

Modifications between Congresses

49 Stat. 2741.

ARTICULO 14

Equivalencias

Equivalents.

Cada Administración contratante determinará la equivalencia legal de su moneda, con respecto al franco oro del Convenio Postal Universal.

ARTICLE 14

Equivalents

Each Administration will determine the legal equivalent of its money with relation to the gold franc of the Universal Postal Convention.

ARTICULO 15

Asuntos no previstos

Matters not provided for.

49 Stat. 2741.

1. Todos los asuntos no previstos por este Acuerdo, serán regidos por las disposiciones del Acuerdo vigente de Encomiendas de la Unión Postal Universal y su Reglamento de ejecución.

2. Sin embargo, las Administraciones contratantes podrán fijar otros detalles para la práctica del servicio, previo acuerdo.

3. Se reconoce el derecho de que gozan los países contratantes para mantener vigente el procedimiento reglamentario adoptado en orden al cumplimiento de Convenios que tengan entre sí, siempre que dicho procedimiento no se oponga a las disposiciones de este Acuerdo.

ARTICLE 15

Matters not provided for

1. All matters not provided for by this Agreement will be governed by the provisions of the Parcel-Post Agreement of the Universal Postal Union in force and its Regulations of Execution.

2. However, the contracting Administrations may fix other details for the carrying out of the service, after previous agreement.

3. The right of the contracting countries to retain in force the regulatory procedure adopted for the execution of Conventions among themselves is recognized, provided that such procedure is not contrary to the provisions of this Agreement.

ARTICULO 16

Vigencia y duración del Acuerdo

Effective date and duration of Agreement.

1. El presente Acuerdo comenzará a regir el 1.º de octubre de 1937 y quedará en vigencia sin limitación de tiempo, reservándose cada una de las partes contratantes el derecho de denunciarlo, mediante aviso dado por su Gobierno al de la República Oriental del Uruguay, con un año de anticipación.

Ratifications.

2. El depósito de las ratificaciones se hará en la ciudad de Panamá, República de Panamá, en el más breve plazo posible. Se levantará un Acta relativa al depósito de las ratificaciones de cada país y el Gobierno de Panamá remitirá por el vía diplomática una copia de dicha Acta a los Gobiernos de los demás países signatarios.

3. Quedan derogadas, a partir de la fecha en que entre en vigor el presente Acuerdo, las estipulaciones del Acuerdo de Encomiendas Postales, sancionado en Madrid el 10 de noviembre de 1931.

Parcel-Post Agreement abrogated.
47 Stat. 1937.

ARTICLE 16

Effective date and duration of Agreement

1. The present Agreement will become effective October 1, 1937, and will remain in force without time-limit, each of the contracting parties reserving the right to denounce it by means of notice given by its Government to that of the Eastern Republic of Uruguay one year in advance.

2. The deposit of ratifications will be effected in the city of Panama, Republic of Panama, as soon as possible. The relative certificate will be made up in regard to the ratification by each country, and the Government of Panama will send a copy of said certificate, through diplomatic channels, to the Governments of the other signatory countries.

3. The stipulations of the Parcel-Post Agreement sanctioned in Madrid on November 10, 1931, are abrogated, beginning with the date on which the present Agreement becomes effective.

4. En caso de que el Acuerdo no fuere ratificado por uno o varios de los países contratantes, no dejará de ser válido para los que así lo hubieren hecho.

5. Los países contratantes podrán ratificar este Acuerdo, provisionalmente, por correspondencia, dando aviso de ello a las Administraciones respectivas por medio de la Oficina Internacional; sin perjuicio de que, según la legislación de cada país y previa aprobación de los Congresos Nacionales, sea confirmada por la vía diplomática.

En fe de lo cual, los Plenipotenciarios de los países enumerados, suscriben el presente Acuerdo en la ciudad de Panamá, República de Panamá, a los 22 días del mes de diciembre de mil novecientos treinta y seis.

4. In case that the Agreement is not ratified by one or more of the contracting countries, it will nevertheless be valid for the countries which have ratified it.

5. The contracting countries may ratify this Agreement provisionally, by correspondence, giving notice thereof to the respective Administrations through the medium of the International Office, without prejudice to the fact that, according to the legislation of each country, and after approval by the National Congresses, it may be confirmed through diplomatic channels.

In faith of which, the Plenipotentiaries of the countries enumerated sign the present Agreement in the city of Panama, Republic of Panama, on the 22d day of the month of December, 1936.

Validity.

Provisional ratification.

Signatures.

Por Argentina:

LUIS S. LUTI

Por Bolivia:

JORGE E. BOYD

Por Brasil:

LEONIDAS DE SIQUEIRA
MENESES

JAYME DIAS FRANÇA

JULIO SÁNCHEZ PÉREZ

Por Canadá:

PETER T. COOLICAN
F. E. JOLLIFFE

Por Colombia:

ALFONSO PALACIO RUDAS

Por Costa Rica:

ENRIQUE FONSECA ZÚÑIGA

Por Cuba:

CARLOS A. VASSEUR

Por Chile:

SILVERIO BRAÑAS
MIGUEL A. PARRA

Por Dominicana:

MANUEL DE J. QUIJANO

Por Ecuador:

VICTORIANO ENDARA A.
VÍCTOR M. NARANJO

Por El Salvador:

JOSÉ E. ARJONA

Por España:

JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

Por Estados U. de América:

Por HARLEE BRANCH,
JOHN E. LAMIELL
JOHN E. LAMIELL
STEWART M. WEBER

Por Guatemala:

TOMÁS ARIAS

Por Haití:

ANDRÉ FAUBERT

Por Honduras:

ALBERTO ZÚÑIGA

Por México:

JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

Por Nicaragua:

ADOLFO ALTAMIRANO
BROWNE

Por Panamá:

JOSÉ E. ARJONA
JUAN B. CHEVALIER
JUAN BRIN
CARLOS ORTIZ R.
TOMÁS H. JÁCOME
MANUEL DE J. QUIJANO
ANGELO FERRARI

Por Paraguay:

LUIS S. LUTI

Por Perú:

AUGUSTO S. SALAZAR
ERNESTO CÁCERES B.

Por Uruguay:

HUGO V. DE PENÁ

Por Venezuela:

FRANCISCO VÉLEZ SALAS
CARLOS HARTMANN

Final protocol.

PROTOCOLO FINAL DEL ACUERDO RELATIVO A ENCOMIENDAS POSTALES

FINAL PROTOCOL OF THE AGREEMENT RELATIVE TO PARCEL POST

En el momento de firmar el Acuerdo relativo a Encomiendas Postales celebrado por el IVº Congreso Postal Américoespañol, los Plenipotenciarios que suscriben han convenido lo siguiente:

La Delegación venezolana declara que la Administración Postal de Venezuela no puede aceptar, por ahora, en su servicio, encomiendas con un peso mayor de 5 kilogramos.

Hecho en Panamá, a los 22 días de diciembre de 1936.

At the moment of signing the Agreement relative to Parcel Post concluded by the Fourth Americo-Spanish Postal Congress, the undersigned Plenipotentiaries have agreed upon the following:

The Venezuelan Delegation declares that the Postal Administration of Venezuela can not accept, for the present, in its service, parcels with a weight greater than five kilograms.

Done at Panama on the 22d day of December, 1936.

Signatures

Por Argentina:

LUIS S. LUTI

Por Bolivia:

JORGE E. BOYD

Por Brasil:

LEONIDAS DE SIQUEIRA

MENESES

JAYME DIAS FRANÇA

JULIO SÁNCHEZ PÉREZ

Por Canadá

PETER T. COOLICAN

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Por Colombia:

ALFONSO PALACIO RUDAS

Por Costa Rica:

ENRIQUE FONSECA ZÚÑIGA

Por Cuba:

CARLOS A. VASSEUR

Por Chile:

SILVERIO BRAÑAS

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VÍCTOR M. NARANJO

Por El Salvador:

JOSÉ E. ARJONA

Por España:

JOSÉ V. CHÁVEZ

JOSÉ ROBERTO MONTERO

Por Estados U. de América:

Por HARLLEE BRANCH,

JOHN E. LAMIELL

JOHN E. LAMIELL

STEWART M. WEBER

Por Guatemala:

TOMÁS ARIAS

Por Haití:

ANDRÉ FAUBERT

Por Honduras:

ALBERTO ZÚÑIGA

Por México:

JOSÉ V. CHÁVEZ

JOSÉ ROBERTO MONTERO

Por Nicaragua:

ADOLFO ALTAMIRANO

BROWNE

Por Panamá:

JOSÉ E. ARJONA

JUAN B. CHEVALIER

JUAN BRIN

CARLOS ORTIZ R.

TOMÁS H. JÁCOME

MANUEL DE J. QUIJANO

ANGELO FERRARI

Por Paraguay:

LUIS S. LUTI

Por Perú:

AUGUSTO S. SALAZAR

ERNESTO CÁCERES B.

Por Uruguay:

HUGO V. DE PENNA

Por Venezuela:

FRANCISCO VÉLEZ SALAS

CARLOS HARTMANN

Having examined and considered the provisions of the foregoing Agreement Relative to Parcel Post and Final Protocol of the Agreement Relative to Parcel Post, signed in the city of Panama, Republic of Panama, on the twenty-second day of December, 1936, the same are by me, by virtue of the powers vested by law in the Postmaster General, hereby ratified and approved, by and with the advice and consent of the President of the United States.

Ratification by
Postmaster General.

In witness whereof, I have caused the seal of the Post Office Department of the United States to be hereto affixed this twelfth day of August, 1937.

[SEAL]

JAMES A FARLEY
Postmaster General.

I hereby approve the above-mentioned Agreement Relative to Parcel Post and Final Protocol of the Agreement Relative to Parcel Post, and in testimony thereof have caused the seal of the United States to be hereto affixed.

Approval by the
President.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL
Secretary of State.

WASHINGTON, August 20, 1937.

December 22, 1936

Postal Union of the Americas and Spain, agreement and final protocol relative to money orders. Signed at Panamá, December 22, 1936; ratified by the Postmaster General, August 12, 1937; approved by the President, August 20, 1937.

ACUERDO RELATIVO A GIROS
POSTALESAGREEMENT RELATIVE TO
MONEY ORDERS¹

celebrado entre:

concluded between

Contracting Powers. Argentina, Bolivia, Brasil, Colombia, Costa Rica, Cuba, Chile, Dominicana, Ecuador, El Salvador, España, Estados Unidos de América, Guatemala, Honduras, México, Nicaragua, Panamá, Paraguay, Perú, Uruguay y Venezuela.

Argentina, Bolivia, Brazil, Colombia, Costa Rica, Cuba, Chile, the Dominican Republic, Ecuador, El Salvador, Spain, the United States of America, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela.

Source of authority.
49 Stat 2746

Los infrascritos, Plenipotenciarios de los Gobiernos de los países arriba mencionados, en ejercicio de la facultad conferida por el artículo 5 del Convenio vigente de la Unión Postal Universal, convienen a reserva de ratificación, en establecer el servicio de giros de acuerdo con las cláusulas siguientes:

The undersigned, Plenipotentiaries of the Governments of the countries above mentioned, in exercise of the authority conferred by Article 5 of the Universal Postal Convention in force, agree, subject to ratification, to establish the money order service in accordance with the following clauses:

ARTICULO 1

ARTICLE 1

Object.

*Objeto del Acuerdo**Object of the agreement*

Exchange of money
orders

El cambio de giros postales entre los países contratantes cuyas Administraciones convengan en ejecutar este servicio, se regirá por las disposiciones del presente Acuerdo.

The exchange of money orders between the contracting countries whose Administrations agree to perform this service will be governed by the present Agreement.

ARTICULO 2

ARTICLE 2

*Moneda**Money*

Money provisions.

El importe de los giros se expresará en la moneda del país de destino. Sin embargo, las Administraciones quedan facultadas para adoptar de común acuerdo otra moneda, cuando así convenga a sus intereses.

The amount of the orders will be expressed in money of the country of destination. However, the Administrations are authorized to adopt, by mutual consent, some other money more convenient to their interests.

ARTICULO 3

ARTICLE 3

Conditions for exchange of money orders

*Condiciones para el cambio de los giros**Conditions for exchange of money orders*

Lists.
Post, p. 1720.

El cambio de giros postales entre los países contratantes se llevará a cabo por medio de listas conforme al modelo «A» anexo.

The exchange of money orders between the contracting countries will be effected by means of lists conforming to model "A" hereto appended.

¹ Translation by Post Office Department.

Cada Administración designará las oficinas de su país que hayan de encargarse de formular dichas listas y de enviarlas a aquellas otras Oficinas que para los mismos fines designen las demás Administraciones. Cuando una Administración señale más de una Oficina para la recepción de listas, deberá comunicar con todo detalle la distribución que haya de hacerse de los giros de las mencionadas listas.

Each Administration will designate the offices in its country which will be charged with preparing the said lists and transmitting them to such other offices as may be designated for the same purpose by the other Administrations. When an Administration designates more than one office for the receipt of lists, it must communicate, with full details, the distribution to be made of the orders in the said lists.

ARTICULO 4

Límites máximos de emisión

Las Administraciones de los países contratantes que convengan en establecer este servicio, se pondrán de acuerdo para fijar el límite máximo de los giros que cambien entre sí, sin que éste pueda ser inferior a 300 francos oro, según la moneda tipo del Convenio Postal Universal, o a la equivalencia de esta cantidad en la moneda respectiva.

Sin embargo, los giros relativos al servicio de Correos, emitidos con franquicia de porte en aplicación de las disposiciones del artículo 8 siguiente, podrán exceder del máximo fijado por cada Administración.

The Administrations of the contracting countries which agree to establish this service will come to an agreement to fix the maximum amount of money orders exchanged among them; but this amount may not be lower than 300 gold francs, in accordance with the monetary standard of the Universal Postal Convention, or the equivalent of that amount in the respective money.

However, orders relating to the postal service, issued free of charge in accordance with the provisions of Article 8 following, may exceed the maximum fixed by any Administration.

Maximum amount.

ARTICULO 5

Tasas y derechos de comisión

1. El expedidor de todo giro emitido con arreglo al presente acuerdo deberá pagar una tasa de 30 céntimos de franco oro como máximo y un derecho proporcional que no podrá exceder de $\frac{1}{2}$ % del valor del giro.

2. La Administración de origen abonará a la de destino $\frac{1}{4}$ % de la suma total de los giros pagados por esta última.

ARTICLE 5

Rates and commission fees

1. The remitter of every order issued in accordance with the present Agreement shall pay a charge of 30 centimes of a gold franc at most, and a proportional fee which may not exceed $\frac{1}{2}$ % of the amount of the order.

2. The Administration of origin will credit that of destination with $\frac{1}{4}$ % of the total amount of the orders paid by the latter.

Rates and commission fees.

Credit to Administration of destination.

ARTICULO 6

Endosos

Los países contratantes quedan autorizados para permitir en su territorio y de acuerdo con su legislación interior, el endoso de los giros originarios de cualquier país.

ARTICLE 6

Indorsements

The contracting countries are authorized to permit, within their territories, and in accordance with their domestic legislation, the indorsement of orders originating in any country.

Indorsements.

ARTICULO 7

Responsabilidad

Responsibility.

Las Administraciones serán responsables ante los remitentes, de las cantidades que éstos depositen para ser invertidas en giros postales, hasta el momento en que sean pagados a los destinatarios o endosatarios.

ARTICLE 7

Responsibility

The Administrations will be responsible to the remitters for the amounts which the latter deposit to be converted into money orders until they have been paid to the payees or indorsees.

ARTICULO 8

Franquicia de derechos

Exemption from charges

Estarán exentos de todo derecho, los giros relativos al servicio cambiados entre las Administraciones o entre las Oficinas de Correos dependientes de cada Administración; así como también los giros que remitan a la Oficina Internacional de Montevideo y viceversa.

ARTICLE 8

Exemption from charges

Orders relating to the service exchanged between Administrations or between post offices belonging to any Administration will be exempt from all charges, as well as orders sent to the International Office of Montevideo and vice versa.

ARTICULO 9

Plazo de validez de los giros

Period of validity

Salvo acuerdo en contrario, todo giro postal será pagadero en el país de destino, dentro del plazo de los doce meses siguientes al de su emisión.

El importe de todos los giros que no hayan sido pagados durante ese período, será acreditado en la primera cuenta que se rinda a la Administración del país de origen, la cual procederá con arreglo a sus Reglamentos.

ARTICLE 9

Period of validity of orders

In the absence of agreement to the contrary, every money order will be payable in the country of destination for a period of twelve months following that of its issuance.

The amount of all orders which have not been paid within that period will be credited in the first account rendered to the Administration of the country of origin, which will proceed in accordance with its regulations.

ARTICULO 10

Cambio de dirección y reintegro de giros

Change of address.

1. Cuando el remitente desee corregir un error en la dirección del destinatario o que el monto del giro le sea devuelto, deberá solicitarlo de la Administración Central del país en que el giro haya sido emitido.

Repayment.

2. Por lo general, un giro postal no será reintegrado sin autorización de la Administración Central del país pagador.

ARTICLE 10

Change of address and repayment of orders

1. When the remitter desires to correct an error in the address of the payee, or that the amount of the order be returned, he must make application to the Central Administration of the country in which the order has been issued.

2. In general, no money order will be repaid without the authorization of the Central Administration of the paying country.

ARTICULO 11

Aviso de pago

El remitente de un giro podrá obtener un aviso de pago, mediante un derecho equivalente al percibido por la Administración de origen, en concepto de aviso de recibo de la correspondencia certificada. Este derecho pertenecerá a la Administración de origen.

La Administración de destino extenderá el aviso de pago en un impreso, conforme al modelo «F» y lo remitirá al propio interesado, directamente, o a la Administración emisora, para su entrega a aquél.

ARTICLE 11

Advice of payment

The remitter of an order may obtain an advice of payment for a fee equivalent to that collected by the Administration of origin for a return receipt for registered correspondence. This fee will be retained by the Administration of origin.

Advice of payment.

The Administration of destination will issue the advice of payment on a printed form agreeing with model "F", and will transmit it directly to the interested party, or to the issuing Administration for delivery to the former.

Post, p. 1729

ARTICULO 12

Reexpedición

A petición del remitente o del destinatario de los giros, éstos podrán ser reexpedidos a otro país distinto a aquél al cual estuvieren destinados primitivamente, siempre que exista cambio de giros con el nuevo país de destino.

La Administración reexpedidora tendrá derecho a deducir del importe del giro, las cuotas que le correspondan por concepto de los nuevos giros emitidos por ella, conforme a lo establecido en el Artículo 5 anterior.

En caso de reexpedición, el giro se considerará como si hubiese sido pagado por la Administración reexpedidora, la cual lo incluirá en la cuenta por tal concepto, añadiendo la palabra «Reexpedición».

ARTICLE 12

Reissuance

At the request of the remitter or payee of an order, the latter may be reissued to a country other than the one for which it was originally destined, whenever an exchange of money orders exists with the new country of destination.

The reissuing Administration will have the right to deduct from the amount of the order the fees due for the new orders issued by it, in accordance with the provisions of Article 5 preceding.

Reissuance.

Deduction of fees.

Ante, p. 1709.

In case of reissuance, the order will be considered as if it had been paid by the reissuing Administration, which will include it in the account for that purpose, adding the word "Reissued".

ARTICULO 13

Legislación interior

Los giros postales que se cambien entre dos países estarán sujetos, con respecto a su emisión y pago, a las disposiciones vigentes en el país de origen o en el país de destino, según el caso, en lo concerniente a la emisión y pago de los giros postales interiores.

ARTICLE 13

Domestic legislation

Money orders exchanged between two countries will be subject, with respect to their issuance and payment, to the provisions in force in the country of origin or in the country of destination, as the case may be, concerning the issuance and payment of domestic money orders.

Domestic legislation.

ARTICULO 14

Formación de las listas

Preparation of lists.

1. Cada Oficina de Cambio comunicará a la Oficina de Cambio corresponsal, diariamente o en las fechas que de mutuo acuerdo se señalen, las cantidades recibidas en su país para ser pagadas en el otro, haciéndose uso para ello del modelo «A», anexo.

Post, p. 1720.

“International number”

2. Todo giro postal anotado en las listas llevará un número progresivo que se denominará «número internacional», comenzando el 1.º de enero o el 1.º de julio de cada año, según convenga, con el número 1. Las listas llevarán asimismo, un número de orden, comenzando por el número 1, el 1.º de enero o el 1.º de julio de cada año.

3. Las Oficinas de Cambio se acusarán recibo de cada lista por medio de la primera lista siguiente enviada en la dirección opuesta.

4. Cualquier lista que faltare, será reclamada inmediatamente por la Oficina de Cambio que comprobare la falta. La Oficina de Cambio remitente, en tal caso, enviará lo antes posible a la Oficina de Cambio reclamante, un duplicado de la lista pedida, debidamente formalizado.

ARTICULO 15

Comprobación y rectificación de las listas

Checking and correction of lists.

Las listas serán revisadas cuidadosamente por la Oficina de Cambio destinataria y corregidas cuando contengan simples errores.

Estas correcciones serán informadas a la Oficina de Cambio remitente, al acusar recibo de la lista en que se hubieren hecho.

Cuando las listas contengan otras irregularidades, la Oficina de Cambio destinataria pedirá explicaciones a la Oficina de Cambio remitente, la cual deberá informar en el plazo más breve posible. Entre tanto, se suspenderá la emisión de los giros postales interiores correspondientes a las mencionadas anotaciones irregulares.

ARTICLE 14

Preparation of lists

1. Each exchange office will advise the corresponding exchange office, daily or on the dates mutually agreed upon, of the amounts received in its country for payment in the other, making use for the purpose of model “A” hereto appended.

2. Every money order noted in the lists will bear a consecutive number known as “international number”, commencing on January 1 or July 1 of each year, as may be agreed, with the number 1. The lists will likewise bear a serial number, commencing with the number 1 on January 1 or July 1 of each year.

3. The exchange offices will acknowledge receipt of each list by means of the first subsequent list sent in the other direction.

4. Any list which is missing will be called for immediately by the exchange office which discovers its absence. The dispatching exchange office, in that case, will send the complaining exchange office a duplicate of the missing list, duly authenticated, as soon as possible.

ARTICLE 15

Checking and correction of lists

The lists will be verified carefully by the exchange office of destination and corrected when they contain simple errors.

These corrections will be reported to the dispatching exchange office, at the time of acknowledging receipt of the list in which they have been made.

When the lists contain other irregularities, the exchange office of destination will ask for explanations by the dispatching exchange office, which shall reply as soon as possible. Meanwhile, the issuance of the internal money orders corresponding to the aforesaid irregular notations will be suspended.

ARTICULO 16

Pago de los giros

1. Al recibirse en una Oficina de Cambio una lista de giros con arreglo a lo dispuesto en el artículo anterior, dicha Oficina procederá a efectuar u ordenar el pago a los destinatarios, en la moneda del país de destino, de las cantidades que en dicha moneda o en otra convenida, figuren en la lista, de conformidad con los reglamentos vigentes en cada país para el pago de los giros internacionales.

2. Los duplicados de giros postales se expedirán solamente por las Administraciones de Correos del país emisor de conformidad con su legislación interna y previa comprobación de que el giro no ha sido ni pagado al destinatario, ni devuelto al origen.

ARTICLE 16

Payment of orders

1. On receipt at an exchange office of a list of orders in accordance with the provisions of the foregoing Article, the said office will proceed to effect or order the payment to the payees, in money of the country of destination, of the amounts shown in the list, in that money or any other agreed upon, in accordance with the regulations in force in each country for the payment of international money orders.

2. Duplicates of money orders will be issued by the Administration of Posts of the reissuing country only in accordance with its domestic regulations, and after previous proof that the order has not been either paid to the payee or returned to origin.

Payment of orders.

Duplicates.

ARTICULO 17

Rendición y liquidación de cuentas

1. Salvo acuerdo en contrario, al final de cada trimestre la Administración acreedora formará la cuenta respectiva para la Administración corresponsal, en que conste detalladamente:

a) Los totales de las listas que contengan los pormenores de los giros emitidos en ambos países durante el trimestre;

b) Los totales de los giros que hubieren sido reintegrados a los remitentes; y

c) Los totales de los giros que hubieren caducado durante el trimestre.

El haber de cada Administración se expresará en su moneda.

El importe menor será convertido a la moneda del país acreedor, con arreglo al cambio medio del trimestre a que se refiera la cuenta.

Esta cuenta, extendida en doble ejemplar, se enviará por la Administración que la haya formulado, a la Administración corresponsal.

ARTICLE 17

Rendering and settlement of accounts

1. In the absence of agreement to the contrary, at the end of each quarter, the creditor Administration will make up the relative account for the corresponding Administration, showing in detail:

(a) The totals of the lists containing the particulars of the orders issued in both countries during the quarter;

(b) The totals of the orders which have been repaid to the remitters; and

(c) The totals of the orders which have become invalid during the quarter.

The credit balance of each Administration will be expressed in its own money.

The smaller amount will be converted into money of the creditor country at the average rate of exchange prevailing during the quarter covered by the account.

This account, rendered in duplicate, will be sent by the Administration which has made it up to the corresponding Administration.

Rendering and settlement of accounts.

Si el saldo resultare a favor de esta Administración, se pagará uniendo a la cuenta una letra a la vista sobre el país acreedor.

Si el saldo resultare a favor de la Administración que haya formulado la cuenta, el pago se llevará a cabo por la Administración deudora en la forma indicada en el párrafo anterior, al devolverse aceptada la cuenta.

Para la formación de esta cuenta trimestral se utilizarán los modelos «B», «C», «D» y «E» anexos al presente Acuerdo.

Post, pp 1724-1727.

Conversions.

2. También podrán entenderse las Administraciones para no efectuar conversiones, sino para realizar la liquidación unilateralmente; ésto es, para abonar cada Administración a la otra, el importe total de los giros pagados por su cuenta. En este caso, cada Administración habrá de formular una cuenta trimestral.

If the balance results in favor of the latter Administration, it will be paid by attaching to the account a sight draft on the creditor country.

If the balance results in favor of the Administration which has rendered the account, payment will be made by the debtor Administration in the manner indicated in the preceding paragraph, when the account is returned accepted.

For the preparation of such quarterly account, use will be made of models "B", "C", "D", and "E" appended to the present Agreement.

2. The Administrations may also come to an agreement not to effect conversions, but to make settlements unilaterally; that is to say, for each Administration to credit the other with the total amount of the orders paid on its account. In this case, each Administration shall render a quarterly account.

ARTICULO 18

Supresión de cuentas por intercambio de giros

Discontinuation of money-order accounts.

Las Administraciones podrán, previo mutuo acuerdo, suprimir la formación de cuentas a que se refiere el artículo anterior. En este caso, deberán comprometerse a enviar conjuntamente con cada lista de giros postales modelo «A», un cheque por el importe total de los mismos, más el premio que señala el inciso 2 del artículo 5; aplicándose igual procedimiento cuando esté indicado el uso de los modelos «C» y «D».

Los cheques, salvo arreglo en contrario, serán expedidos en la moneda del país acreedor y, en estas condiciones, se hará la conversión por el cambio libre.

Post, p 1720.

Ante, p 1709

Post, pp. 1725, 1726.

ARTICLE 18

Discontinuation of money-order accounts

Administrations may, by mutual agreement, discontinue the rendering of accounts referred to in the preceding Article. In this case, they shall undertake to transmit, together with each list of money orders, model "A", a check for the total amount thereof, plus the premium indicated in Section 2 of Article 5; the same procedure being followed when the use of models "C" and "D" is necessary.

The checks, in the absence of agreement to the contrary, will be issued in money of the creditor country, and conversion will accordingly be made on the basis of the open exchange.

ARTICULO 19

Anticipos a buena cuenta

Advance payments on account.

Cuando resultare que una de dos Administraciones corresponsales deba a la otra, por cuenta de giros

ARTICLE 19

Advance payments on account

When it results that one of the corresponding Administrations owes the other, on money order

postales, un saldo que exceda de 25.000 francos oro, o la equivalencia aproximada de esta cantidad, en su propia moneda, la Administración deudora debe enviar a la mayor brevedad posible, a la otra y como anticipo a buena cuenta, una cantidad aproximada al saldo de las cuentas de la liquidación trimestral a que se refiere el artículo 17.

accounts, a balance in excess of 25,000 gold francs, or the approximate equivalent of that amount in its own money, the debtor Administration shall send the other Administration as soon as possible, as an advance payment on account, an amount approximating the balance of the accounts for the quarterly settlement referred to by Article 17.

Ante, p. 1713

ARTICULO 20

Suspensión del servicio

Las Administraciones de los países contratantes podrán, en circunstancias extraordinarias, suspender temporalmente la emisión de giros postales y adoptar todas aquellas disposiciones que estimen convenientes, para salvaguardar los intereses de las Administraciones y para evitar cualquier agio que por los particulares o comerciantes pudiere intentarse cometer por medio del servicio de giros.

La Administración que adopte alguna de las medidas aludidas en el párrafo anterior, deberá comunicarlo con toda urgencia a las Administraciones con quienes cambie giros postales.

ARTICLE 20

Suspension of service

The Administrations of the contracting countries may, under extraordinary circumstances, temporarily suspend the issuance of money orders and adopt such provisions as they deem necessary to safeguard the interests of the Administrations and avoid any speculation through the money order service by individuals or commercial institutions.

Temporary suspension of service.

An Administration adopting any of the measures referred to in the preceding paragraph shall immediately give notice of the fact to the Administrations with which it exchanges money orders.

Notice to be given.

ARTICULO 21

Giros telegráficos

Las disposiciones de este Acuerdo se harán extensivas al servicio de giros telegráficos, entre aquellos países que convengan en efectuarlo; y para el efecto, previo arreglo entre sí, fijarán las condiciones reglamentarias del propio servicio.

ARTICLE 21

Telegraphic orders

The provisions of this Agreement will be extended to the service of telegraphic orders among those countries which agree to perform it; and, to that end, after previous agreement among themselves, they will fix the conditions regulating the said service.

Telegraphic orders.

ARTICULO 22

Proposiciones durante el intervalo de las reuniones

El presente Acuerdo podrá ser modificado en el intervalo que medie entre los Congresos, siguiendo el procedimiento establecido en el Convenio vigente de la

ARTICLE 22

Propositions in the interval between meetings

The present Agreement may be modified in the interval between Congresses in the manner prescribed by the Universal Postal Convention in force. In order for

Modifications between Congresses.

49 Stat. 2741.

Unión Postal Universal. Para que tengan fuerza ejecutiva las modificaciones, deberán obtener:

- a) unanimidad de sufragios si se trata de introducir nuevas disposiciones o de modificar el presente artículo y las de los artículos 1, 2, 4, 7, 8, 13, 17, 18, 19, 20 y 23.
- b) dos tercios de sufragios para modificar las demás disposiciones.

the modifications to become effective, they must obtain:

- (a) Unanimity of votes if it is a question of introducing new provisions or modifying the present Article or Articles 1, 2, 4, 7, 8, 13, 17, 18, 19, 20 and 23.
- (b) Two-thirds of the votes to modify the other provisions.

ARTICULO 23

Vigencia y duración del Acuerdo

ARTICLE 23

Effective date and duration of Agreement

Effective date and duration of Agreement

1. El presente Acuerdo empezará a regir el 1.º de octubre de 1937 y quedará en vigencia sin limitación de tiempo, reservándose cada una de las Altas Partes contratantes, el derecho de denunciarlo mediante aviso dado por su Gobierno al de la República Oriental del Uruguay, con un año de anticipación.

1. The present Agreement will become effective October 1, 1937, and will remain in force without limitation of time, each of the contracting parties reserving the right to denounce it by means of notice given by its Government to that of the Eastern Republic of Uruguay one year in advance.

Ratifications.

2. El depósito de las ratificaciones se hará en la ciudad de Panamá, República de Panamá, en el más breve plazo posible. Se levantará un Acta relativa al depósito de las ratificaciones de cada país, y el Gobierno de Panamá remitirá por la vía diplomática una copia de dicha Acta a los Gobiernos de los demás países signatarios.

2. The ratifications will be deposited in the city of Panama, Republic of Panama, as soon as possible. A certificate will be made up relative to the deposit of the ratifications of each country, and the Government of Panama will send a copy of the said certificate, through diplomatic channels, to the Governments of the other signatory countries.

Former agreement abrogated.

3. Quedan derogadas a partir de la fecha en que entre en vigor el presente Acuerdo las estipulaciones del Acuerdo de giros postales sancionado en Madrid el día 10 de noviembre de 1931.

3. The stipulations of the Money Order Agreement adopted at Madrid on November 10, 1931, are abrogated, beginning with the date on which the present Agreement becomes effective.

Validity.

4. En el caso de que el Acuerdo no fuere ratificado por uno o varios de los países contratantes, no dejará de ser válido para los que así lo hubieren hecho.

4. In case that the Agreement is not ratified by one or more of the contracting countries, it will nevertheless be valid for those which have ratified it.

Provisional ratification.

5. Los países contratantes podrán ratificar provisionalmente este Acuerdo, por correspondencia, dando aviso de ello a las Administraciones respectivas por medio de la Oficina Internacional, sin perjuicio de que, según la legislación de cada país y previa aprobación de los Congresos Nacionales, sea confirmada por la vía diplomática.

5. The contracting countries may ratify this Agreement provisionally, by correspondence, giving notice thereof to the respective Administrations through the medium of the International Office, without prejudice to the fact that, according to the legislation of each country, and after approval by the National Congresses, it may be confirmed through diplomatic channels.

En fe de lo resuelto, los Plenipotenciarios de los países arriba enumerados suscriben el presente Acuerdo en la ciudad de Panamá, República de Panamá, a los 22 días del mes de diciembre de mil novecientos treinta y seis.

In faith of which, the Plenipotentiaries of the countries above enumerated sign the present Agreement in the city of Panama, Republic of Panama, on the 22d day of the month of December, 1936.

Signatures.

Por Argentina:

LUIS S. LUTI

Por Bolivia:

JORGE E. BOYD

Por Brasil:

LEONIDAS DE SIQUEIRA
MENESES

JAYME DIAS FRANÇA
JULIO SÁNCHEZ PÉREZ

Por Colombia:

ALFONSO PALACIO RUDAS

Por Costa Rica:

ENRIQUE FONSECA ZÚÑIGA

Por Cuba:

CARLOS A. VASSEUR

Por Chile:

SILVERIO BRAÑAS
MIGUEL A. PARRA

Por Dominicana:

MANUEL DE J. QUIJANO

Por Ecuador:

VICTORIANO ENDARA A.
VÍCTOR M. NARANJO

Por El Salvador:

JOSÉ E. ARJONA

Por España:

JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

Por Estados U. de América:

Por HARLLEE BRANCH,
JOHN E. LAMIELL
JOHN E. LAMIELL
STEWART M. WEBER

Por Guatemala:

TOMÁS ARIAS

Por Honduras:

ALBERTO ZÚÑIGA

Por México:

JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

Por Nicaragua:

ADOLFO ALTAMIRANO
BROWNE

Por Panamá:

JOSÉ E. ARJONA
JUAN B. CHEVALIER
JUAN BRIN
CARLOS ORTIZ R.
TOMÁS H. JÁCOME
MANUEL DE J. QUIJANO
ANGELO FERRARI

Por Paraguay:

LUIS S. LUTI

Por Perú:

AUGUSTO S. SALAZAR
ERNESTO CÁCERES B.

Por Uruguay:

HUGO V. DE PENNA

Por Venezuela:

FRANCISCO VÉLEZ SALAS
CARLOS HARTMANN

Final protocol.

PROTOCOLO FINAL DEL FINAL PROTOCOL OF THE
ACUERDO RELATIVO A AGREEMENT RELATIVE
GIROS POSTALES TO MONEY ORDERS

En el momento de firmar el Acuerdo relativo a Giros Postales celebrado por el IVº Congreso Postal Américoespañol, los Plenipotenciarios que suscriben, han convenido lo siguiente:

At the moment of signing the Agreement relative to Money Orders concluded by the Fourth Americo-Spanish Postal Congress, the undersigned Plenipotentiaries have agreed upon the following:

I

Los Estados Unidos de América hace constar que no puede aceptar las disposiciones de los artículos 5, párrafo 1; 8 y 11.

The United States of America records the fact that it can not accept the provisions of Article 5, Section 1; 8, and 11.

II

El Brasil hace constar que sólo podrá ejecutar el servicio de Giros Postales mediante las condiciones que establece el artículo 18 del Acuerdo.

Brazil records the fact that it can execute the Money Order service only under the conditions laid down by Article 18 of the Agreement.

Signatures.

Hecho en Panamá, a los 22 días de diciembre de 1936.

Done at Panama on the 22d day of December, 1936.

Por Argentina:

LUIS S. LUTI

Por Bolivia:

JORGE E. BOYD

Por Brasil:

LEONIDAS DE SIQUEIRA

MENESES

JAYME DIAS FRANÇA

JULIO SÁNCHEZ PÉREZ

Por Colombia:

ALFONSO PALACIO RUDAS

Por Costa Rica:

ENRIQUE FONSECA ZÚÑIGA

Por Cuba:

CARLOS A. VASSEUR

Por Chile:

SILVERIO BRAÑAS

MIGUEL A. PARRA

Por Dominicana:

MANUEL DE J. QUIJANO

Por Ecuador:

VICTORIANO ENDARA A.

VÍCTOR M. NARANJO

Por El Salvador:

JOSÉ E. ARJONA

Por España:

JOSÉ V. CHÁVEZ

JOSÉ ROBERTO MONTERO

Por Estados U. de América:

Por HARLLEE BRANCH,

JOHN E. LAMIELL

JOHN E. LAMIELL

STEWART M. WEBER

Por Guatemala:

TOMÁS ARIAS

Por Honduras:

ALBERTO ZÚÑIGA

Por México:

JOSÉ V. CHÁVEZ

JOSÉ ROBERTO MONTERO

Por Nicaragua:

ADOLFO ALTAMIRANO

BROWNE

Por Panamá:

JOSÉ E. ARJONA

JUAN B. CHEVALIER

JUAN BRIN

CARLOS ORTIZ R.

TOMÁS H. JÁCOME

MANUEL DE J. QUIJANO

ANGELO FERRARI

Por Paraguay:

LUIS S. LUTI

Por Perú:

AUGUSTO S. SALAZAR

ERNESTO CÁCERES B.

Por Uruguay:

HUGO V. DE PENNA

Por Venezuela:

FRANCISCO VÉLEZ SALAS

CARLOS HARTMANN

Having examined and considered the provisions of the foregoing Agreement Relative to Money Orders and Final Protocol of the Agreement Relative to Money Orders, signed in the city of Panama, Republic of Panama, on the twenty-second day of December, 1936, the same are by me, by virtue of the powers vested by law in the Postmaster General, hereby ratified and approved, by and with the advice and consent of the President of the United States.

Ratification by
Postmaster General.

In witness whereof, I have caused the seal of the Post Office Department of the United States to be hereto affixed this 12th day of August, 1937.

[SEAL]

JAMES A FARLEY
Postmaster General.

I hereby approve the above-mentioned Agreement Relative to Money Orders and Final Protocol of the Agreement Relative to Money Orders, and in testimony thereof have caused the seal of the United States to be hereto affixed.

Approval by the
President.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL
Secretary of State.

WASHINGTON, August 20, 1937.

ANEXOS

A

Administración de Correos de _____

Número de las listas	Fecha de las listas	Números internacionales de los giros que comprenden las listas	IMPORTE DE LAS LISTAS	

de de 19

EI

Señor Jefe de la Oficina de Cambio de Giros Postales,

de de 19

Examinadas, las listas cuyo recibo se avisa,
se han hallado las siguientes irregularidades.

A la

E
ADMINISTRACION DE CORREOS

CUENTA GENERAL del movimiento de giros postales cambiados entre

HABER DE			
Importe de los giros destinados a _____ que han sido emitidos en el otro país durante el trimestre _____			
A deducir			
Importe de los giros emitidos en el otro país que han sido devueltos por _____ durante el trimestre _____			
Importe de los giros emitidos en el otro país que han sido anulados por _____ durante el trimestre _____			
Haber de _____			
Saldo anterior _____			
A deducir			
Saldo a favor de _____			

HECHO EN

_____ de _____ de 19____

DE _____

_____ durante el _____ trimestre del año 19____

HABER DE			
Importe de los giros destinados al otro país que han sido emitidos en _____ durante el trimestre _____	{		
A deducir			
Importe de los giros emitidos _____ en _____ que han sido devueltos por el otro país du- rante el trimestre _____	{		
Importe de los giros emitidos _____ en _____ que han sido anulados por el otro país du- rante el trimestre _____	{		
Haber de _____			
Saldo anterior _____			
A deducir			

Saldo a favor de _____			

VISTO Y ACEPTADO EN

el _____ de _____ de 19____

F

(ANVERSO)

<p>ADMINISTRACION DE CORREOS</p> <p>DE _____ (1)</p> <p>GIRO POSTAL de _____</p> <p>registrado en la Oficina de Correos de _____</p> <p>el _____ con el número _____</p> <p>expedido por el Sr _____</p> <p>y dirigido al Sr _____</p> <p>a _____</p> <p>(1) El anverso lo llenará la Administración de origen</p>	<p>ACUSE DE RECIBO</p> <p>AVISO DE PAGO</p> <p style="text-align: right; font-size: small;">Sello de la Oficina remitente del aviso</p> <p>(1) A _____</p> <p>_____</p> <p>_____</p> <p>_____</p> <div style="border: 1px solid black; width: 100px; height: 80px; margin: 10px auto;"></div> <p style="text-align: center;">(Lugar de destino)</p> <p>SERVICIO DE CORREOS</p> <p style="text-align: center;">(País de destino)</p> <p>(1) Lo llenará el remitente</p>
--	--

(REVERSO)

<p>EL INFRASCRITO DECLARA QUE EL GIRO MENCIONADO EN OTRO LUGAR HA SIDO DEBIDAMENTE PAGADO EL _____ 19 ____</p>	
<p style="font-size: small;">Sello de la Oficina destinataria</p> <div style="border: 1px solid black; width: 100px; height: 80px; margin: 10px auto;"></div>	<p style="text-align: center;">FIRMA (1)</p> <p style="text-align: center;">del destinatario, del agente de la Oficina destinataria</p> <p>_____</p> <p>(1) Esté aviso debe ser firmado por el destinatario o, si los reglamentos del país de destino lo consienten, por el agente de la Oficina destinataria, y devuelto por el primer correo, directamente al remitente.</p>

PROCLAMATIONS

PROCLAMATIONS

INCREASING RATE OF DUTY ON SLIDE FASTENERS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

July 1, 1936

[No. 2181]

A PROCLAMATION

WHEREAS pursuant to section 336 of Title III, Part II, of the Tariff Act of 1930 (46 Stat. 590, 701), the United States Tariff Commission has investigated the differences in costs of production of, and all other facts and conditions enumerated in said section with respect to, slide fasteners and parts thereof, being wholly or in part the growth or product of the United States and of and with respect to like or similar articles wholly or in part the growth or product of the principal competing country; and

Tariff on slide fasteners, etc.
Statutory authorization.
46 Stat. 701
19 U. S. C. § 1336.

WHEREAS in the course of said investigation a hearing was held, of which reasonable public notice was given and at which parties interested were given reasonable opportunity to be present, to produce evidence, and to be heard; and

WHEREAS the Commission has reported to the President the results of said investigation and its findings with respect to such differences in costs of production; and

WHEREAS the Commission has found it shown by the said investigation that the principal competing country is Japan, and that the duty expressly fixed by statute does not equalize the difference in the costs of production of the domestic articles and the like or similar foreign articles when produced in said principal competing country, and has specified in its report the increase in the rate of duty expressly fixed by statute found by the Commission to be shown by the said investigation to be necessary to equalize such difference; and

WHEREAS in the judgment of the President such rate of duty is shown by the said investigation of the Tariff Commission to be necessary to equalize such difference in costs of production:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 336 (c), Title III, Part II of the said Act do hereby approve and proclaim an increase in the rate of duty expressly fixed in Paragraph 397 of Title I of the said Act on slide fasteners and parts thereof, wholly or in chief value of copper, brass, nickel, zinc, or other base metal, but not plated with platinum, gold, or silver, or colored with gold lacquer, and not specially provided for, from 45 per centum ad valorem to 66 per centum ad valorem, the rate found to be shown by the said investigation to be necessary to equalize such difference in costs of production.

Increasing duty to equalize differences in costs of production.
46 Stat. 701.

46 Stat. 629.
19 U. S. C. § 1001.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this first day of July, in the year of our Lord nineteen hundred and thirty-six, and of the Independence of the United States of America, the one hundred and sixtieth.

By the President:

FRANKLIN D ROOSEVELT

WILLIAM PHILLIPS

Acting Secretary of State.

PERRY'S VICTORY AND INTERNATIONAL PEACE MEMORIAL NATIONAL MONUMENT—OHIO

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

July 6, 1936

[No 2182]

A PROCLAMATION

Perry's Victory and
International Peace
Memorial National
Monument, Ohio
Statutory authori-
zation.
49 Stat 1393

WHEREAS Public No. 631, 74th Congress, approved June 2, 1936, authorizes the President of the United States to establish by proclamation the hereinafter-described Government lands, together with the Perry's Victory Memorial proper, its approaches, retaining walls, and all buildings, structures, and other property thereon, situated in Put-in-Bay Township, South Bass Island, Ottawa County, Lake Erie, State of Ohio, as the Perry's Victory and International Peace Memorial National Monument, on Put-in-Bay, South Bass Island, in the State of Ohio:

Establishment

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of and pursuant to the power in me vested by the said Act of June 2, 1936, do proclaim and establish the Perry's Victory and International Peace Memorial National Monument consisting of the following-described Government lands, together with the Perry's Victory Memorial proper, its approaches, retaining walls, and all buildings, structures, and other property thereon, situated in Put-in-Bay Township, South Bass Island, Ottawa County, Lake Erie, State of Ohio:

Description.

Commencing at the intersection of the middle line of Delaware Avenue and Chapman Avenue, in the Village of Put-in-Bay, and running thence south eighty-eight degrees fifty-nine minutes east in the middle line of said Delaware Avenue, and the same extended four hundred and ninety-five feet to Lake Erie; thence north forty-nine degrees fifty-nine minutes east along said lake shore three hundred and forty-six feet; thence north forty-three degrees fourteen minutes east along said lake shore two hundred and twelve feet; thence north fifty-three degrees thirteen minutes east four hundred feet along said lake shore; thence north forty-six degrees six minutes west about seven hundred and thirty feet to Lake Erie; thence southwesterly and westerly along said lake shore to the middle line, extended, of said Chapman Avenue; thence south one degree thirty minutes west along said middle line, and the same extended, about five hundred and twenty feet to the place of beginning, and containing fourteen and twenty-five one-hundredths acres of land and known as a part of lots numbered 1 and 2, range south of county road, and a part of lot numbered 12, East Point, in South Bass Island, in the township of Put-in-Bay, county of Ottawa, State of Ohio.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this Monument and not to locate or settle upon any of the lands thereof.

Reservation from settlement, etc.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of the Monument as provided in the said Act of June 2, 1936.

Supervision

49 Stat 1394.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 6th day of July, in the year of our Lord nineteen hundred and thirty-six and of the [SEAL] Independence of the United States of America the one hundred and sixty-first.

By the President: FRANKLIN D ROOSEVELT
CORDELL HULL
Secretary of State.

CHEROKEE NATIONAL FOREST—TENNESSEE

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

July 8, 1936

[No 2183]

WHEREAS certain forest lands in the State of Tennessee have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

Cherokee National Forest, Tenn
Preamble
Statutory authori-
zation
36 Stat 962
16 U S C §§ 515,
516

WHEREAS it appears that the reservation as the Cherokee National Forest of the said lands together with certain other lands heretofore forming parts of the Pisgah National Forest and the Unaka National Forest would be in the public interest:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), the act of June 4, 1897, ch. 2, 30 Stat. 34, 36 (U. S. C., title 16, sec. 473), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, sec. 521), do proclaim that there are hereby reserved and set apart as the Cherokee National Forest, all lands of the United States within the following-described boundaries, and that all lands therein which may hereafter be acquired by the United States under authority of the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Cherokee National Forest:

Reserving, etc., des-
ignated lands for na-
tional forest
26 Stat 1103
16 U S C § 471
30 Stat 36
16 U S C § 473
36 Stat 963
16 U S C § 521.

CHEROKEE DIVISION

Beginning at the point where the Louisville and Nashville Railroad crosses the Georgia-Tennessee State Line at or near Tenna, Georgia; thence northerly with the Louisville and Nashville Railroad approximately 4 miles to the point where said railroad is crossed by the public road running north and south along the west foot of the mountain; thence northerly with said public road to its junction with U. S. Highway No. 64; thence easterly with the meanders of U. S. Highway No. 64 to a point on the left bank of the Ocoee River; thence southeasterly with

Cherokee Division.

the left bank of the Ocoee River to the south end of the Parksville Dam; thence northerly with the crest of the Parksville Dam to its north end, a point beside U. S. Highway No. 64; thence northwesterly with the meanders of Highway No. 64 approximately $\frac{1}{2}$ mile to its junction with the public road running north and south along the west foot of the mountain; thence northerly with the said public road to the point where it first comes to the left bank of the Hiwassee River, opposite the upper end of an island in the river; thence northeasterly approximately 15 chains, crossing the river to a point in the road on the right bank of the river; thence northwesterly with the meanders of the said road to its junction with U. S. Highway No. 411; thence northeasterly with Highway No. 411 approximately $\frac{3}{4}$ mile to a junction with an old road; thence northeasterly with said old road approximately 18 chains to a point beside the Blue Ridge Branch of the Louisville and Nashville railroad; thence northerly with the Louisville and Nashville Railroad to the point where it crosses Conasauga Creek; thence northeasterly with Conasauga Creek to the point where it is first crossed by the Etowah-Tellico Plains Road; thence easterly with the meanders of the Etowah-Tellico Plains Road approximately 5 miles to a point where said road again crosses Conasauga Creek; thence southerly and southeasterly with the meanders of Conasauga Creek to a road junction beside the creek and near the mouth of Steer Creek; thence northeasterly with the meanders of Steer Creek Road to its junction with Tennessee State Highway No. 68; thence northerly with the meanders of State Highway No. 68 to a point at intersection with the corporate limit of Tellico Plains; thence southeasterly, thence northeasterly, thence northerly with said town limits to a bridge across the Tellico River; thence Northerly with the meanders of the Ballplay Road to a point about $\frac{1}{2}$ mile west of Center School, where said road crosses a small stream and makes sharp turn to right; thence northerly with the meanders of said small stream to its junction with Tellico River; thence northerly and north-easterly with the meanders of Tellico River to the first public road crossing below the mouth of Ballplay Creek; thence easterly with the meanders of said public road approximately 35 chains to a road fork; thence northeasterly with the meanders of a secondary road, taking the right fork at approximately $2\frac{1}{2}$ miles, approximately $3\frac{1}{2}$ miles in all to a point on the left bank of the Little Tennessee River; thence easterly up and with the meanders of the left bank of the Little Tennessee River to intersection with the North Carolina-Tennessee State Line; thence in a general southwesterly direction with the meanders of the North Carolina-Tennessee State Line to intersection with U. S. Highway No. 64; thence westerly with the meanders of U. S. Highway No. 64, to a road fork approximately 33 chains east of Stewarttown; thence northerly with the meanders of a secondary road to its junction with the road leading up Potato Creek to Bonnertown; thence easterly with the meanders of last-named road, passing Bonnertown, approximately $1\frac{1}{4}$ miles to a junction of four secondary roads; thence northerly with the meanders of the left-hand road, approximately $\frac{1}{2}$ mile to a road fork; thence westerly with the meanders of left-hand road approximately $1\frac{1}{2}$ miles to a road fork; thence northerly with the meanders of the right-hand road, crossing the divide between Potato Creek and Brush Creek, to intersection with Brush Creek; thence westerly with the meanders of Brush Creek to the point where said creek is crossed by the Louisville and Nashville Railroad; thence southerly with the

meanders of the Louisville and Nashville Railroad to a point opposite Patterson's Ferry; thence southwesterly with the meanders of a secondary road to its junction with the Grassy Creek Road; thence southerly with meanders of the Grassy Creek Road to its intersection with the Georgia-Tennessee State Line; thence westerly with the Georgia-Tennessee State Line to the place of beginning.

UNAKA DIVISION

Unaka Division.

Beginning at a point on the North Carolina-Tennessee State Line, and on the boundary of the Great Smoky Mountains National Park, about 1¼ miles northwest of Mt. Sterling postoffice, where the road leading from Mt. Sterling into Tennessee crosses the state line; thence northwesterly with the meanders of the road which forms the boundary of the Great Smoky Mountains National Park to a road fork about ½ mile after crossing Cosby Creek, where Park boundary bears off southwest; thence northwesterly and northerly with the meanders of the main road leading down Cosby Creek, to a road fork near the mouth of a large stream flowing north from Denny Mountain into Cosby Creek; thence easterly with the meanders of the public road along the north foot of Denny Mountain to a road fork on the bank of Pigeon River; thence northerly with the meanders of a road which crosses the river and runs down its east side to Edwina; thence northeasterly with the meanders of a public road to its junction with U. S. Highway No. 25 about ¾ mile west of Bridgeport; thence easterly with the meanders of Highway No. 25, crossing French Broad River at Bridgeport, to junction with a public road which leads around the north foot of Neddy Mountain; thence northeasterly and southeasterly with said road to its junction with public road leading up Long Creek; thence northeasterly with the public road which follows most closely the northwest foot of Meadow Creek Mountain to Cedar Creek Post Office; thence easterly, northeasterly, and northerly with the said road which follows most closely the northwest foot of the mountains to Whig Post Office; thence northeasterly with the meanders of a public road crossing Dry Fork to junction of said road with the road leading up Dry Fork; thence southeasterly with the meanders of the road leading up Dry Fork approximately 1½ miles to a road fork; thence northeasterly with the meanders of a public road, crossing Water Fork and the divide between Water Fork and Middle Creek to the first road fork beyond said divide; thence northwesterly with the meanders of the left-hand road approximately ¾ mile to a road fork; thence northerly with the meanders of the right-hand road to the point where it crosses Middle Creek, near the mouth of the left-hand fork of said creek; thence easterly with the meanders of Middle Creek and the left fork of Middle Creek approximately one mile to where a road crosses; thence easterly with the meanders of the most direct road to Painter Post Office; thence easterly with the meanders of a public road crossing Cassie Creek to junction with road leading down Painter Creek; thence northerly with the meanders of the road leading down Painter Creek to its junction with Tennessee State Highway No. 107; thence northeasterly and southeasterly with the meanders of Tennessee State Highway No. 107 to the point where this highway first runs beside the railroad leading to Embreeville; thence northerly with the meanders of said railroad to Garber, Tennessee; thence northeasterly with the meanders of the public road leading up Little

Cherokee Creek, crossing the head of Buck Creek and running down Sinking Creek to a point approximately 1 mile due south of the center of Johnson City, where a road turns off southeast; thence southeasterly with the meanders of the last-named road to its junction with U. S. Highway No. 23; thence southerly with the meanders of Highway No. 23, approximately $2\frac{1}{2}$ miles to a road fork; thence northeasterly with the meanders of the road which forms the most direct route to Valley Forge on the Doe River; thence northeasterly and northerly with the meanders of the said road, crossing the Watauga River at Siam, to Hunter Station; thence in a northerly and general westerly direction with the meanders of road along south foot of Holston Mountain, to the point where it crosses the railroad¹ between Elizabethton and Bluff City, approximately $2\frac{1}{2}$ miles north of Elizabethton; thence northwesterly with the meanders of said railroad to Elkanah; thence northeasterly and northerly with the meanders of the road which passes Chincapin Grove Church, to a sharp bend in the South Fork of the Holston River; thence northeasterly with the meanders of the road up Holston River, passing Island Mills and Hemlock, to the south end of the bridge across Holston River at Central Holston Church; thence in a general northeasterly direction up and with the meanders of the left bank of the South Fork of Holston River to intersection with the Tennessee-Virginia State Line; thence easterly with the Tennessee-Virginia State Line to the point on Pond Mountain which is the common corner of the states of Tennessee, Virginia and North Carolina; thence southerly with the Tennessee-North Carolina State line about $3\frac{1}{2}$ miles to Forest Service Monument 1244 corner to tract 137e of the United States; thence with the lines of said tract 137e northeasterly then southerly then northwesterly to corner 4 thereof in Cut-Laurel Gap on the State line; thence southerly with the Tennessee-North Carolina State line to a point in Payne's Gap at intersection with a public road; thence, southwesterly with the meanders of the road leading down Forge Creek, to its junction with U. S. Highway No. 421, near the point where Forge Creek empties into Roan Creek; thence southerly, with the meanders of U. S. Highway No. 421, to a road fork about $\frac{1}{2}$ mile south of Evergreen Church near mouth of Lucinda Creek; thence southwesterly with the meanders of a public road leading up Lucinda Creek, a large tributary of Roan Creek, to the Tennessee-North Carolina State Line on top of the mountain; thence, in a general southwesterly direction with the Tennessee-North Carolina State Line to the place of beginning, excluding from the above-described land, however, all land within the corporate limits of the towns of Mountain City and Erwin, Tennessee.

The boundaries of the Cherokee National Forest are graphically shown on the diagram attached hereto and made a part hereof.

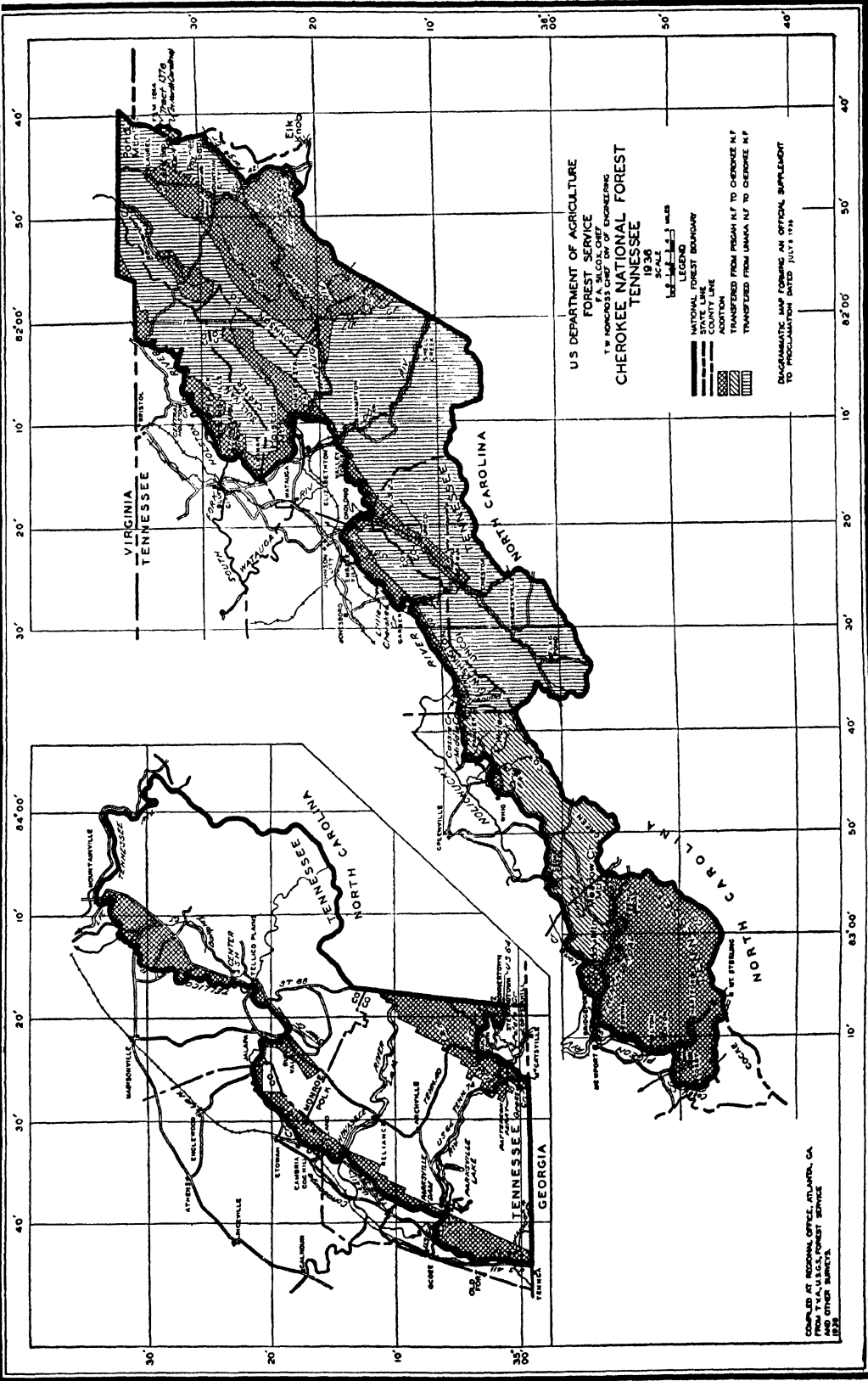
IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 8th day of July in the year of our Lord nineteen hundred and thirty-six and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

¹ So in original.



CHATTAHOOCHEE NATIONAL FOREST—GEORGIA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

July 9, 1936
[No. 2184]

A PROCLAMATION

WHEREAS certain forest lands within the State of Georgia have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

WHEREAS it appears that the reservation as the Chattahoochee National Forest of the said lands together with certain other lands heretofore forming parts of the Cherokee National Forest and the Nantahala National Forest would be in the public interest:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, section 471), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, section 521), do proclaim that there are hereby reserved and set apart as the Chattahoochee National Forest all lands of the United States within the following-described boundaries, and that all lands therein which may hereafter be acquired by the United States under authority of the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Chattahoochee National Forest:

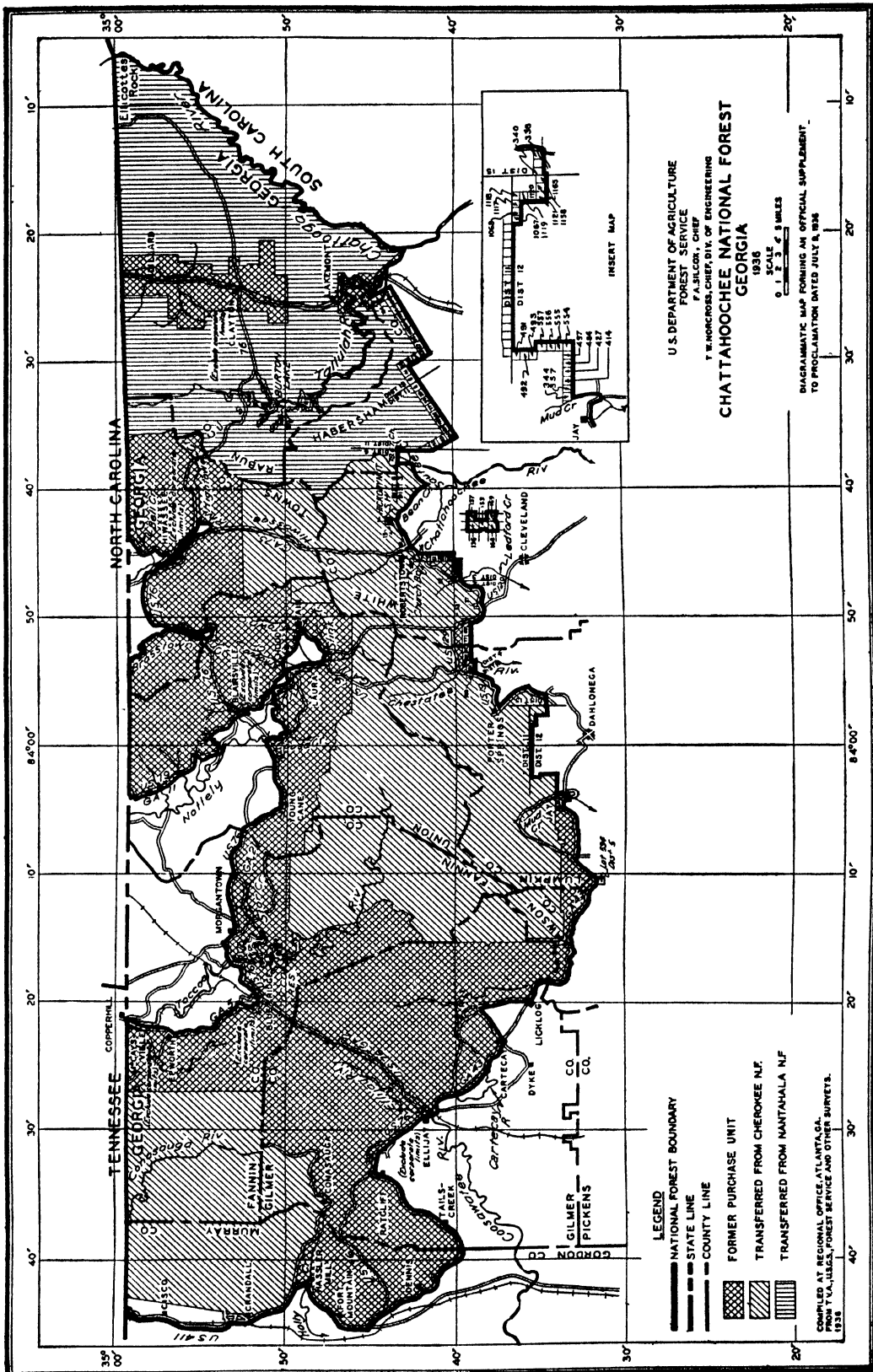
Beginning at "Ellicotte's Rock," the point where the 35th parallel of latitude intersects the Chattooga River, the common corner of the States of North Carolina, South Carolina and Georgia; thence southwesterly with the meanders of Chattooga River to its junction with Tallulah River; thence northwesterly with the meanders of Tallulah River to where it crosses the south boundary of Lot 173, District 13; thence southwesterly with the boundary of Lot 173 to the northeast corner of Lot 164, District 13; thence southeasterly with the boundaries of Lots 164 and 163 to the southeast corner of Lot 163; thence southwesterly with the boundaries of Lots 163, 154, 144, 135, 124, 115, 96, 87 and 53 to the southwest corner of Lot 53, District 13; thence northwesterly with the boundaries of Lots 53, 54 and 55 to the northwest corner of Lot 55, which is also the southeast corner of Lot 41, District 13; thence southwesterly with the boundaries of Lots 41 and 8, District 13 and Lots 8, 39, 54, 77, 92, 109, 124 and 134, District 11, to the southwest corner of Lot 134, District 11; thence northwesterly with the west boundaries of Lots 134, 133, 132 to a point at intersection with the line between Districts 11 and 3; thence northerly with the line between Districts 11 and 3, to the northeast corner of District 3, which is also the southeast corner of District 6; thence westerly with the line between Districts 3 and 6, 79.67 chains to a point in a small stream which point is a corner in the line between White and Habersham Counties; thence in a southerly direction with the meanders of the stream and the County line to the junction of this stream with Sautee Creek; thence southwesterly with the meanders of Sautee Creek to its junction with Bean Creek; thence northwesterly with the meanders of Bean Creek to a point in Lot 13, District 6 near head of said creek, where it crosses the road between Robertstown and Hickorynut School; thence southwesterly with the meanders of said road to its intersection with Georgia Highway No. 75 at Robertstown; thence northwesterly with Highway No. 75, approximately 30 chains to the junction with a road leading

Chattahoochee National Forest, Ga.
Preamble.
Statutory authorization.
36 Stat. 962.
16 U. S. C. §§ 515, 516.

Reserving, etc., designated lands for national forest.
26 Stat. 1103.
16 U. S. C. § 471.
36 Stat. 963.
16 U. S. C. § 521

Description

southwest up Church Branch; thence southwesterly with said road approximately 35 chains to intersection with the east boundary of Lot 29, District 3; thence southerly with the east boundary of Lots 29, 36, 61, 68 and 93 to the southeast corner of Lot 93, District 3; thence westerly with the south boundary of said Lot 93 to the southwest corner thereof; thence southerly with the east boundary of Lot 99, District 3, to the southeast corner thereof; thence westerly with the south boundary of Lots 99, 98 and 97, District 3, approximately 126 chains to intersection with a public road just east of Ledford Creek; thence southwesterly with the meanders of said road to its junction with U. S. Highway No. 129 in Lot 27, District 4; thence northwesterly with U. S. Highway No. 129 to its intersection with the south boundary of Lot 53, District 4; thence westerly with the south boundaries of Lots 53, 68, 77, 92, 101 and 116 to the southwest corner of Lot 116, District 4, on the line between Districts 4 and 15, a point in Chestatee River; thence southerly down Chestatee River with its meanders, to the southeast corner of Lot 161, District 15; thence westerly with the south boundary of Lots 161 and 160, District 15, to U. S. Highway No. 19; thence southerly with U. S. Highway No. 19 to the south boundary of Lot 338, District 15; thence westerly with the south boundary of Lots 338, 339 and 340 to the southwest corner of Lot 340 which is in the line between Districts 15 and 12; thence southerly with the line between Districts 15 and 12 to the southeast corner of Lot 1165, District 12; thence westerly with the south boundaries of Lots 1165, 1158 and 1121 to the southwest corner of Lot 1121, District 12; thence northerly with the west boundaries of Lots 1121, 1120 and 1119 to the northwest corner of Lot 1119, District 12; thence westerly with the south boundaries of Lots 1117, 1068 and 1067 to the southwest corner of Lot 1067, District 12; thence northerly with the West boundary of Lot 1067, to the northwest corner of Lot 1067, a point on the line between Districts 12 and 11; thence westerly with the line between Districts 11 and 12, to the northeast corner of Lot 491, District 12; thence southerly with the east boundaries of Lots 491, 492 and 493 to the southeast corner of Lot 493, District 12; thence easterly with the north boundary of Lot 557, District 12, to the northeast corner thereof; thence southerly with the east boundaries of Lots 557, 556, 555 and 554 to the southeast corner of Lot 554, District 12; thence westerly with the south boundaries of Lots 554, 497, 484, 427, 414, 357 and 344 to intersection with Mud Creek; thence southerly with the meanders of Mud Creek to intersection with the public road leading from Jay to Dahlonga; thence westerly with the meanders of said road, passing Jay to the junction of said road with Georgia State Highway No. 43 in Lot 594, District 5; thence northwesterly with Highway No. 43, to Licklog; thence northerly with road leading from Licklog to Roy to a point about 1 mile southeast of Roy where a road leading to Cartecay bears off southwest; thence southwesterly with said road to its junction with State Highway No. 43 at Cartecay; thence northwesterly with State Highway No. 43 to U. S. Highway No. 76 at Ellijay; thence northwesterly with U. S. Highway No. 76 to its junction with a road leading to Ratcliff and Tails Creek; thence southwesterly with said road passing Ratcliff and Tails Creek, and continuing with road southwesterly, then westerly, then northwesterly to Dennis; thence northwesterly, then northerly, then northeasterly with the road near the foot of the mountain



U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
F.A. SILCOX, CHIEF
T.W. HODGKINS, CHIEF, DIV. OF ENGINEERING

CHATTAHOOCHEE NATIONAL FOREST

GEORGIA

0 1 2 3 4 5 MILES
0 1 2 3 4 5 KILOMETERS
1938

DIAGRAMATIC MAP FORMING AN OFFICIAL SUPPLEMENT
TO PROCLAMATION DATED JULY 8, 1896

- LEGEND**
- NATIONAL FOREST BOUNDARY
 - STATE LINE
 - COUNTY LINE
 - FORMER PURCHASE UNIT
 - TRANSFERRED FROM CHEROKEE N.F.
 - TRANSFERRED FROM NANTAHALA N.F.
- COMPILED AT REGIONAL OFFICE, ATLANTA, GA.
FROM T.V.A. LINES, FOREST SERVICE AND OTHER SURVEYS.
1938

to Hassler's Mill on Holly Creek; thence northwesterly with public road near foot of mountain to its junction with U. S. Highway No. 411 at or near Crandall; thence northerly with U. S. Highway No. 411 to the Georgia-Tennessee State Line; thence easterly with the State Line to Georgia State Highway No. 5 near Copper Hill, Tennessee; thence southerly with Highway No. 5 to U. S. Highway No. 76, at Blue Ridge; thence easterly with U. S. Highway No. 76 to the bridge across Coosa Creek, about $1\frac{1}{2}$ miles southwest of Blairsville; thence southerly with the meanders of Coosa Creek approximately 2 miles to where a secondary road crosses the creek; thence easterly with said secondary road to U. S. Highway No. 19 just east of Nottely River; thence southeasterly with U. S. Highway No. 19, about 4 miles to the junction with a secondary road which crosses Nottely River about $\frac{1}{4}$ mile above the mouth of Stink Creek; thence northeasterly, then northerly, then northwesterly with the meanders of said secondary road, going up Stink Creek, crossing the divide onto a tributary of Town Creek, crossing Town Creek and the divide between Town Creek and Arkaqua Creek, passing Fain and Hood to U. S. Highway No. 19 approximately 1 mile southeast of Blairsville; thence northerly with U. S. Highway No. 19 to the Georgia-North Carolina State Line; thence easterly with the State Line to where it crosses Brasstown Creek; thence southerly with the meanders of Brasstown Creek to U. S. Highway No. 76; thence northerly, easterly and southeasterly with U. S. Highway No. 76, to the point where it crosses Hiawassee River, about $\frac{3}{4}$ mile northwest of Hiawassee; thence southerly with the meanders of Hiawassee River approximately 1 mile to a sharp bend in the river with a secondary road on west bank; thence southeasterly with the meanders of said secondary road to its junction with State Highway No. 75; thence southerly with Highway No. 75 to where it crosses Hiawassee River; thence northeasterly with the meanders of Hiawassee River to its junction with Hightower Creek; thence due north to U. S. Highway No. 76; thence northwesterly with U. S. Highway No. 76 to Hiawassee; thence northeasterly with the meanders of the public road leading up Bell Creek to the Georgia-North Carolina State Line; thence in an easterly direction with the State Line to point of beginning. Excluding from the above-described area all land included within the corporate limits of the towns of Clayton, Hiawassee, Blairsville, Blue Ridge, Ellijay and McCaysville; a second tract lying in White County, Georgia, and consisting of all of Lot 136, District 3; those portions of Lots 137 and 153, District 3, which the United States acquired from John E. Mitchell; and those portions of Lots 168 and 169, District 3, which the United States acquired from the Smothport Extract Company, all of which form one contiguous tract.

The boundaries of the Chattahoochee National Forest are graphically shown on the diagram attached hereto and made a part hereof.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 9th day of July, in the Year of our Lord nineteen hundred and thirty-six and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

NANTAHALA NATIONAL FOREST—NORTH CAROLINA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

July 9, 1936
[No 2185]

Nantahala National
Forest, N. C.
Preamble
Statutory authori-
zation
36 Stat 962
16 U. S. C. §§ 515,
516

WHEREAS certain forest lands within the State of North Carolina have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

WHEREAS it appears that the reservation as the Nantahala National Forest of the said lands together with certain other lands heretofore forming parts of the Cherokee National Forest and the Nantahala National Forest would be in the public interest:

Reserving, etc., des-
ignated lands for na-
tional forest
26 Stat 1103
16 U. S. C. § 471.
30 Stat 36
16 U. S. C. § 473.
36 Stat 963
16 U. S. C. § 521.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), the act of June 4, 1897, ch. 2, 30 Stat. 34, 36 (U. S. C., title 16, sec. 473), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, sec. 521), do proclaim that there are hereby reserved and set apart as the Nantahala National Forest all lands of the United States within the following-described boundaries, and that all lands therein which may hereafter be acquired by the United States under authority of the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Nantahala National Forest:

Description.

Beginning at "Ellicotte's Rock," the point where the 35th parallel of latitude intersects the Chattooga River, the common corner of the states of North Carolina, South Carolina and Georgia; thence westerly with the North Carolina-Georgia State Line to the point where the public road leading up Bell Creek, a tributary of Hiwassee River, crosses said state line; thence northerly with the meanders of public road crossing divide and going down Need More Branch to the junction of said road with U. S. Highway No. 64, on the north side of Shooting Creek; thence westerly with U. S. Highway No. 64 approximately $\frac{1}{4}$ mile to its junction with road leading to Licklog Gap; thence northerly with the meanders of said road approximately $\frac{3}{4}$ mile to the road leading from Union Chapel to Drowning Creek; thence westerly with said road to its junction with road leading up Drowning Creek; thence northeasterly with said road approximately $\frac{3}{4}$ mile to the road leading north across Drowning Creek; thence northerly, westerly, and northwesterly with the road leading around the south foot of the mountain dividing the waters of Drowning Creek and Tusquittee Creek to its junction with the main road leading from Hayesville up Tusquittee Creek; thence northeasterly with said road approximately $2\frac{1}{2}$ miles crossing Tusquittee Creek to a road junction about $\frac{1}{4}$ mile north of the creek; thence westerly with the public road down the north side of Tusquittee Creek and Hiwassee River passing a big bend in the river to a point opposite the second such bend; thence due south to the middle of Hiwassee River; thence westerly with the meanders of Hiwassee River to the Andrews hydro-electric dam; thence northerly with the meanders of the Tennessee and North Carolina Railroad to its intersection with the public road leading up Peachtree Creek; thence northeasterly with said road to a road leading west; thence westerly with said road to

the village of Peachtree; thence northerly with public road leading up Slow Creek approximately $\frac{3}{8}$ mile crossing railroad and Slow Creek to the second road fork beyond the creek; thence westerly and southwesterly with a public road, crossing Zimmerman Creek, to U. S. Highway No. 64; thence northwesterly with U. S. Highway No. 64 to Fall Branch; thence southerly with the meanders of Fall Branch to its junction with the Hiwassee River; thence southeasterly with the meanders of the Hiwassee River to the mouth of Brasstown Creek; thence southeasterly with the meanders of Brasstown Creek to the North Carolina-Georgia State Line; thence westerly with the state line to intersection with public road just south of Cobb, N. C.; thence northerly with said road passing through Cobb approximately 1 mile to a creek flowing west into Nottely River; thence westerly with the meanders of said creek to its junction with Nottely River; thence westerly and northerly with the meanders of the Nottely River to U. S. Highway No. 64 near Ranger, N. C.; thence westerly with U. S. Highway No. 64 to the North Carolina-Tennessee State Line; thence in a general northeasterly direction with the North Carolina-Tennessee State Line to where it crosses the Little Tennessee River; thence easterly up and with the meanders of the left bank of the Little Tennessee River to the mouth of the Tuckasegee River; thence easterly with the meanders of the left bank of Tuckasegee River to a point opposite the end of a long ridge approximately $\frac{1}{2}$ mile north of Wilmot; thence northeasterly crossing river and running with said ridge to the top of Little Bald; thence easterly with the meanders of the top of the mountain forming the divide between Soco Creek and Tuckasegee River to the top of Waterrock Knob, on the Jackson-Haywood County Line; thence southeasterly with the Jackson-Haywood County Line to Tennessee Bald, a common corner to the counties of Jackson, Haywood and Transylvania; thence southerly with the Jackson-Transylvania County Line on Tennessee ridge to its junctions with the Blue Ridge; thence southeasterly with the meanders of the top of the Blue Ridge leaving the county line, to Highway No. 283 in Estatoe Gap; thence southerly with Highway No. 283 to the North Carolina-South Carolina State Line; thence southwesterly with the state line to the place of beginning. Excluding from the above-described land all land within the corporate limits of the towns of Bryson City, Franklin, Dillsboro, Sylva, Murphy, Andrews, Marble, Robbinsville and Highlands.

The boundaries of the Nantahala National Forest are graphically shown on the diagram attached hereto and made a part hereof.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 9th day of July, in the year of our Lord nineteen hundred and thirty-six and of the [SEAL] Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

FRANCIS MARION NATIONAL FOREST—SOUTH CAROLINA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

July 10, 1936
[No. 2186]

Francis Marion National Forest, S. C.
Preamble.
Statutory authorization.
36 Stat. 962
16 U. S. C. §§ 515, 516.

WHEREAS certain forest lands within the State of South Carolina have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

WHEREAS it appears that it would be in the public interest to reserve and designate such lands as the Francis Marion National Forest:

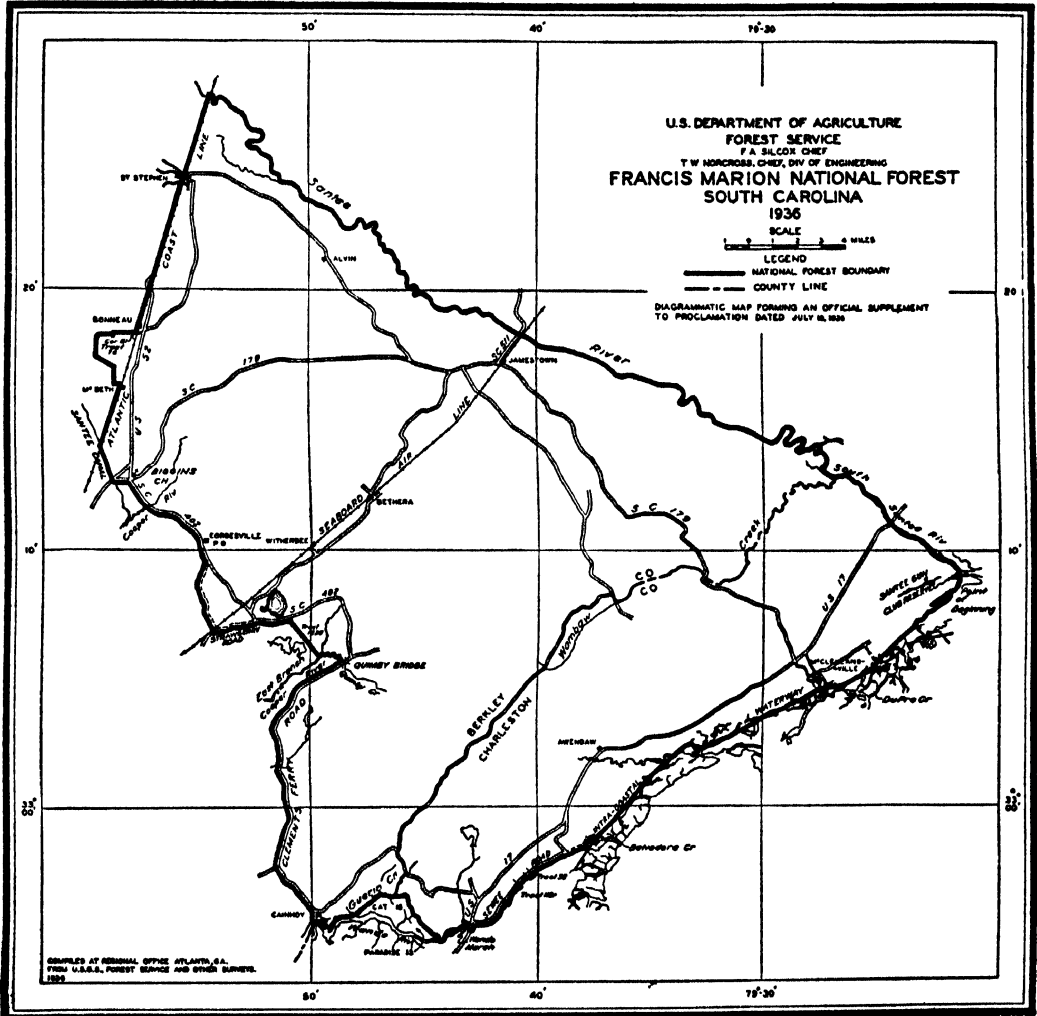
Reserving, etc., designated lands for national forest
26 Stat 1103
16 U. S. C. § 471

36 Stat 963.
16 U. S. C. § 521.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, sec. 521), do proclaim that there are hereby reserved and set apart as the Francis Marion National Forest all lands of the United States within the following-described boundaries, and that all lands therein which may hereafter be acquired by the United States under the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Francis Marion National Forest:

Description.

Beginning on the right bank of the South Santee River at the mouth of the Canal which drains the Santee Gun Club Reserve; thence southwesterly with the canal and the main stream flowing into it approximately $\frac{5}{8}$ mile to a point at the inland edge of the coastal marsh; thence southwesterly with the edge of the marsh to the junction of three roads near the head of Dupre Creek; thence southwesterly with the road to a point on the north bank of the Intra-Coastal Waterway; thence southwesterly with the north bank of the Intra-Coastal Waterway to the north fork of Belvedere Creek, excluding along this line any portions of the Cape Romain Migratory Bird Refuge which may lie northwest of the Intra-Coastal Waterway; thence northwesterly with the meanders of Belvedere Creek to the end of a secondary road; thence southwesterly with said road and the Sewee Road to the point where the latter intersects the eastern boundary of Tract No. 92, property of the United States; thence southeasterly, southwesterly, and northwesterly with the boundary of said Tract No. 92, to a point on said road; thence southwesterly with the Sewee Road to a point on the eastern boundary of Tract No. 113r, property of the United States; thence southeasterly, southwesterly, and northwesterly with the boundary of Tract No. 113r, to the point where the western boundary of said Tract is crossed by the Sewee Road; thence southwesterly with said road, taking the right-hand road at approximately $1\frac{1}{2}$ miles, to U. S. Highway No. 17; thence southerly with Highway No. 17, approximately $\frac{1}{4}$ mile to the inland edge of the Wando Marsh; thence northwesterly with the edge of the marsh to the Wando River; thence westerly down the right bank of Wando River, running with the north channel and Guerin Creek so as to exclude Paradise Island and Cat Island, to Cainhoy; thence northwesterly with the main public road approximately three miles to its intersection with Clement's Ferry Road; thence northerly with the Clement's Ferry Road to the Quimby Bridge; thence northwesterly with the right bank of Quimby Creek to a point on the north-



west bank of the East branch of Cooper River; thence southwesterly with north or right bank of Cooper River to a point at or near Tract No. 1239; thence northwesterly with the southwest boundary of Tract No. 1239 to State Highway No. 402; thence westerly with Highway No. 402, approximately 1½ miles to Strawberry Road; thence westerly with Strawberry Road approximately 2 miles to a road fork just south of the Seaboard¹ Airline Railroad; thence northerly with the right-hand road, crossing the railroad, to Highway No. 402; thence northwesterly with Highway No. 402 passing Biggins Church to a point on the Santee Canal; thence northwest with the east bank of the Santee Canal to a point on the Atlantic Coast Line Railroad; thence northeasterly with the Atlantic Coast Line Railroad to a point on the south boundary of Tract No. 76, property of the United States; thence northwesterly, northerly, and easterly with the boundary of Tract No. 76 to Corner No. 81 of said Tract, beside a road; thence easterly with said road to where it crosses the Atlantic Coast Line Railroad; thence northeasterly with the Atlantic Coast Line Railroad to a point on the south bank of the Santee River; thence southeasterly with the right bank of the Santee and South Santee Rivers to the place of beginning.

The boundaries of the Francis Marion National Forest are graphically shown on the diagram attached hereto and made a part hereof.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 10th day of July, in the year of our Lord nineteen hundred and thirty-six and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

PISGAH NATIONAL FOREST—NORTH CAROLINA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

July 10, 1936
[No. 2187]

A PROCLAMATION

WHEREAS certain forest lands within the State of North Carolina have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

WHEREAS it appears that the reservation as the Pisgah National Forest of said lands together with certain other lands heretofore forming parts of the Pisgah National Forest and the Unaka National Forest would be in the public interest:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), the act of June 4, 1897, ch. 2, 30 Stat. 34, 36 (U. S. C., title 16, sec. 473), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, sec. 521), do proclaim that there are hereby reserved and set apart as the Pisgah National Forest all lands of the United States within the following-

Pisgah National Forest, N. C.
Preamble.
Statutory authorization.
36 Stat. 962.
16 U. S. C. §§ 515, 516

Reserving, etc., designated lands for national forest.
26 Stat. 1103.
16 U. S. C. § 471.
30 Stat. 36.
16 U. S. C. § 473.
36 Stat. 963.
16 U. S. C. § 521.

¹ So in original.

described boundaries, and that all lands therein which may hereafter be acquired by the United States under authority of the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Pisgah National Forest:

DIVISION NUMBER 1

Division Number 1.

Beginning in Soco Gap, at a point where North Carolina State Highway 293 crosses the State line into Tennessee; thence easterly with Highway 293 to its junction with State Highway 284 at Dellwood; thence easterly and southerly with Highway 284 to its intersection with the corporate limits of the town of Waynesville; thence running with the western, southern and southeastern corporate limits of the towns of Waynesville and Hazelwood, so as to exclude them, to State Highway 284 on the southeast side of Waynesville; thence easterly with said State Highway 284 to State Highway 110 at Silver Bluff; thence northerly with Highway 110 about 0.8 mile to its junction with a road leading to Henson Cove; thence easterly with said road about 2.4 miles to Henson Cove; thence northerly with the Canton road about 1.7 miles to its junction with a road leading to Dutch Cove; thence in a general northeasterly direction with said road to the forks of the road near Dutch Cove; thence northeasterly with the northeast fork of said road about 3.7 miles to Highway 19-23 just east of the Buncombe-Haywood County line; thence easterly with U. S. Highway 19-23, about 3.4 miles to its junction with Youngs Cove Road; thence southerly with Youngs Cove Road about 1.7 miles to the road leading from Candler to Mt. Pisgah; thence southwesterly with said Pisgah Road 3.1 miles to the Glady Fork Road; thence easterly with said Glady Fork Road and the McFee Road 3.8 miles to Beaverdam Road on Beaverdam Creek; thence northerly with said Beaverdam Road about 2.1 miles to the Ledford Cove Road; thence northeasterly with said Ledford Cove Road 0.8 mile to the Case Cove Road; thence southerly, easterly, northeasterly and northerly with said Case Cove Road about 4.0 miles to Enka; thence easterly with the new Sand Hill Road about 1.1 miles to the Sardis Road; thence southeasterly with said Sardis Road 2.2 miles to Highway 191; thence southeasterly with said Highway 191 about 4.8 miles to Avery; thence southwesterly with the Avery Creek Road 1.3 miles to the Cochran Road leading from Avery Creek to McDowell Creek; thence southerly with said Cochran Road to the North Mills River Road; thence westerly with said North Mills River Road approximately 2 miles to the road leading south across North Fork of Mills River; thence southerly and southeasterly with said road, crossing the River about 1.1 miles, to the South Mills River Road; thence easterly with said South Mills River Road about 2.1 miles to the road around the northeast end of Forge Mountain connecting with State Highway 280; thence southerly with said connecting road 1.4 miles to State Highway 280; thence with said Highway 280 in a general southwesterly direction to the road connecting State Highway 280 with U. S. Highway 64 near Pisgah Forest Station; thence with said connecting road in a southerly direction about 1.2 miles to the Hendersonville-Toxaway Branch of the Southern Railway; thence with said Railway in a general southwesterly direction passing through Brevard five miles to U. S. Highway #64; thence southwesterly with said U. S. Highway 64 about 7.0 miles to the town limits of Rosman; thence excluding the town of Rosman and running southerly with State Highway 283 to Eastatoo Gap in the Blue Ridge; thence northwesterly with the top of

the Blue Ridge to its junction with Tennessee Ridge on Cold Mountain; thence northerly with the Transylvania-Jackson County line and the Tennessee Ridge about 10 miles to a point on Tennessee Bald common to Jackson, Haywood and Transylvania Counties; thence northwesterly with the Jackson-Haywood County line to the place of beginning.

DIVISION NUMBER 2

Division Number 2

Beginning at the intersection of the Pigeon River with the Tennessee-North Carolina State Line at the village of Waterville, being in the line between Haywood County, North Carolina and Cocke County, Tennessee; thence with the said state line in a general northeasterly direction to State Line Gap on the line between Watauga County, North Carolina and Johnson County, Tennessee, at the head of Beaverdam Creek; thence southwesterly with the old road to its first crossing with the main stream of Beaverdam Creek; thence down and with said Beaverdam Creek to its confluence with Watauga River; thence up and with Watauga River to Shulls Mills; thence in a general southeasterly direction with a secondary road passing through a gap about one-quarter of a mile east of Miray Knob, up the north side of Cannon Branch, through a gap about one-quarter of a mile northeast of Martin Knob to its junction with U. S. Highway 221 at Raven Rocks; thence southeasterly with U. S. Highway 221 to U. S. Highway 321 at Blowing Rock; thence with U. S. Highway 321, southeasterly passing through Green Park and Patterson to its junction with State Highway 90; thence with State Highway 90 in a southwesterly direction to Collettsville; thence with a secondary road southwesterly passing through Adako, crossing Wilson Creek and Upper Creek to State Highway 181; thence with State Highway 181 southerly 0.5 mile to its junction with road leading to Table Rock; thence with said road southwesterly passing Table Rock to its junction with State Highway 105; thence with said highway 105 westerly about one-half mile to a small stream which flows into Lake James; thence down and with said stream to the northern shoreline of Lake James; thence in a westerly direction following the shoreline of Lake James to a point on the road leading to Hankins; thence with said road westerly and southwesterly passing through Hankins to U. S. Highway 221; thence southerly with said highway 221 about 0.8 mile to U. S. Highways 64 and 70; thence westerly with U. S. Highways 64 and 70 to Old Fort; thence, excluding Old Fort, and running with U. S. Highway 64 southward to where it crosses Catawba River; thence westward up and with the Catawba River and that branch of it on the north side of Allison Ridge to the old road near the crest of the divide between Catawba River and Broad River; thence with said old road northwesterly to Corner 2 of Tract #107aII, property of the United States; thence with the southern and western boundary of said tract #107aII to the old road; thence with the old road northwesterly to the crest of the Blue Ridge in the Buncombe-McDowell County Line; thence with the Blue Ridge and said County Line in a northerly direction to High Pinnacle, a point common to Yancey, McDowell and Buncombe Counties; thence northwesterly with the Buncombe-Yancey County Line passing Blackstock Knob to Balsam Gap; thence southwesterly, leaving the County Line and following the ridge dividing the waters of Dillingham Creek and the North Fork of the Swannanoa River passing Walker Knob, Locust Knob, Craggy Dome and Buckners Knob, to Craggy

Flats; thence westerly with the divide between Dillingham and Beetree Creeks to its junction with the divide between Reems and Beetree Creeks; thence southwesterly with the hydrographic divide passing over Lanes Pinnacle to Paynes Knob; thence southeasterly with the crest of Pinnacle Ridge about one-half mile to Corner 2 of Tract #82, property of the United States; thence with the lines of Tract #82 around its southern boundary to Corner 1 of U. S. Tract #266; thence northerly with the line of Tract #266 to U. S. Tract #81; thence with the western boundary of Tract #81 to Richland Knob; thence northerly down the point of a ridge about 2.0 miles to a point in Reems Creek about 1.0 mile east of the town of Beech; thence northeasterly up the ridge to Little Snowball Mountain; thence northeasterly with crest of Little Snowball Mountain about 0.2 mile to the south boundary of U. S. Tract #475; thence with the southwest and north boundaries of Tract #475 to the crest of Little Snowball Mountain; thence down the ridge northeasterly about 2 miles to a point in Dillingham Creek about 0.2 mile west of the village of Dillingham; thence up a ridge which leads northerly, passing along the western boundary of U. S. Tract #494, about 2.6 miles to a point in North Ivy River, said point being about 3.2 miles east of the town of Barnardsville; thence westerly down said river about 1.3 miles to its confluence with Martin Creek; thence up and with said Martin Creek and its tributary northeasterly to Many Gap at or near the junction of Yancey, Madison and Buncombe Counties; thence northerly with the road which leads down Indian Creek and then down Hinton Creek about 8.0 miles to its junction with U. S. Highway 19E; thence easterly with U. S. Highway 19E to Cane River; thence in a general easterly direction up and with the Cane River to the mouth of Bowlens Creek; thence up and with Bowlens Creek to State Highway 695; thence northeasterly with State Highway 695 to the town limits of Burnsville; thence northeasterly with the limits of Burnsville to U. S. Highway 19E; thence easterly with U. S. Highway 19E to State Highway 104 at Micaville; thence southerly with State Highway 104 about 6 1 miles to its junction with the road which leads up Bobs Creek, said junction being west of the South Toe River and about 0 4 mile southwest of the mouth of Bobs Creek; thence with said road in a general northeasterly direction, crossing the South Toe River about 2.7 miles to Seven Mile Ridge School; thence with a secondary road northerly and northeasterly about 2 miles to Crabtree Creek; thence down and with Crabtree Creek to its junction with the East Fork near Crabtree Falls; thence up and with the East Fork of Crabtree Creek southeasterly 0.6 mile to its intersection with a secondary road; thence with said road southeasterly passing Black Mountain Church to Gillespie Gap on the Blue Ridge in the Mitchell-McDowell County Line; thence with the Blue Ridge and the Mitchell-McDowell County Line northeasterly to McKinney Gap; thence with road down Little Rose Creek northwesterly passing Altapass to road which leads up Rose Creek; thence with said road easterly up Rose Creek to a point about 0.4 mile east of the Altapass Church; thence northerly with a secondary road to North Toe River about 0.1 mile east of the mouth of Holley Branch; thence up and with the North Toe River to U. S. Highway 19E; thence northerly with U. S. Highway 19E about 0.4 mile to its junction with the road up Brushy Creek; thence northeasterly with said road up Brushy Creek to U. S. Highway 221; thence with said Highway 221 northeasterly passing Altamont to State Highway 181 at Linville

excluding, however, from this boundary, the town of Linville; thence with State Highway 181 westerly to Newland, excluding from this boundary the town of Newland; thence westerly with the road that leads down the North Toe River to U. S. Highway 19E at Minneapolis; thence with U. S. Highway 19E southerly to a point in Three Mile Creek about 0.1 mile southeast of the junction of said Highway with State Highway 194 at Ingalls; thence down and with Three Mile Creek northwesterly about 0.2 mile to its confluence with Toe River; thence with a straight line approximately S62°W 6.0 miles to the confluence of Bear Creek with Toe River; thence up and with Bear Creek northerly about 2.5 miles to State Highway No. 19; thence with State Highway 19, westerly and northwesterly to the town limits of Bakersville excluding the town of Bakersville, and continuing with State Highway 19, westerly passing Red Hill to the road which leads up Rock Creek at a point below the junction of Rock and Bee Creeks; thence with said road up Rock Creek northerly about 0.6 mile to Bee Creek; thence continuing with said road up Bee Creek northerly about 1.5 miles to a road intersection; thence westerly with said intersecting road about 1.0 mile to the road which leads down a branch of Brummett Creek; thence with said Brummett Creek Road westerly about 2.4 miles to its junction with State Highway 19 on the right bank of Toe River; thence with State Highway 19 westerly about 3.5 miles passing Relief and crossing Toe River to its confluence with Cane River; thence up and with the Cane River Road southwesterly to the confluence of Bald Mountain Creek with Cane River; thence with road up Bald Mountain Creek to Buck's Store; thence with a trail up a creek southerly about 1.3 miles to McKinney Gap; thence westerly with a spur ridge about 0.8 mile to the crest of the ridge which is the Yancey-Madison County Line; thence with said ridge and County Line southerly about 3.0 miles to the road at Windy Gap; thence with said road down Big Laurel Creek westerly to its junction with U. S. Highway 70 about 2.1 miles south of the junction of U. S. Highway 70 and State Highway 208; thence with U. S. Highway 70 southerly about 3.5 miles to Walnut; thence with an intersecting road southwesterly about 2.0 miles, crossing Brush Creek to the French Broad River at Barnard; thence up and with the French Broad River southerly about 4 2 miles to the mouth of Little Pine Creek; thence up and with Little Pine Creek southwesterly about 2 chains to the road leading up Little Pine Creek; thence with said road southwesterly to a road intersection at the hamlet of Little Pine Creek; thence with said intersecting road southwesterly about 1.7 miles to a road intersection about 3.0 miles northwest of the hamlet of Trail Branch; thence southeasterly down said road to the hamlet of Trail Branch; thence with the road southwesterly about 2.8 miles to its junction with another road at a branch of Sandymush Creek; thence with said other road southwesterly to its junction with another road at Sandymush Creek; thence with the said Sandymush Creek road up the creek southwesterly passing the hamlet of Sandymush to Haywood Gap in the Newfound Mountains at the head of Crabtree Creek; thence down Crabtree Creek southwesterly to its confluence with Pigeon River; thence northwesterly along the right bank of Pigeon River to a road crossing approximately 3 miles from the mouth of Crabtree Creek; thence crossing Pigeon River with said road westerly 0.1 mile to road intersection; thence with said intersecting road westerly about 2.5 miles to State Highway 289; thence with State High-

way 289 southwesterly 1.9 miles to State Highway 284 at the hamlet of Cove Creek; thence with State Highway 284 northwesterly to a point on the divide between Pigeon River and Cataloochie Creek in Camp Gap; thence in a general northwesterly direction with the boundary of land deeded by the State of North Carolina to the United States for the Great Smoky Mountains National Park to intersection with State Highway 284 at or near Mt. Sterling Gap; thence northerly with Highway No. 284 to the North Carolina-Tennessee State Line; thence with said State Line easterly to the place of beginning.

The boundaries of the Pisgah National Forest are graphically shown on the diagram attached hereto and made a part hereof.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 10th day of July, in the year of our Lord nineteen hundred and thirty-six and of the [SEAL] Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

SUMTER NATIONAL FOREST—SOUTH CAROLINA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Sumter National
Forest, S. C.
Preamble
Statutory authori-
zation
36 Stat 962
16 U. S. C. §§ 515,
516.

WHEREAS certain forest lands within the State of South Carolina have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

WHEREAS it appears that it would be in the public interest to reserve and designate such lands together with certain other lands heretofore forming a part of the Nantahala National Forest as the Sumter National Forest:

Reserving, etc., des-
ignated lands for na-
tional forest

26 Stat 1103
16 U S C § 471
36 Stat 963
16 U. S. C. § 521

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, sec. 521), do proclaim that there are hereby reserved and set apart as the Sumter National Forest all lands of the United States within the following-described boundaries, and that all lands therein which may hereafter be acquired by the United States under authority of the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Sumter National Forest:

ENOREE DIVISION

Enoree Division.

Beginning at the intersection of S. C. Highways 9 and 91, the most northerly point on said Unit, approximately one-quarter mile East of Lockhart; thence southeasterly with Highway 9, approximately five miles to intersection with Old Columbia road at Wilksburg; thence southerly with Old Columbia road approxi-

mately 12 miles, passing Leeds, to intersection of S. C. Highway 7; thence westerly with Highway 7, 1½ miles to intersection with S. C. Highway 215; thence southerly with S. C. Highway 215, approximately 15 miles to intersection with Dawkins Road approximately 1½ miles south of Salem Cross Roads; thence southwesterly 5½ miles with said road to Dawkins, S. C., at Broad River; thence northwesterly with the left bank of Broad River 3 miles to S. C. Highway 22 at Strother; thence southwesterly with Highway 22 approximately 13 miles crossing Broad River to intersection with S. C. Highway 192, approximately 2½ miles northeast of Newberry; thence westerly with Highway 192, 1½ miles, crossing U. S. Highway 176, to intersection with U. S. Highway 76; thence northwesterly with Highway 76 approximately 17 miles passing Kinards and Goldville to the intersection with old local road leading to Jones Crossing; thence northeasterly with said old local road approximately 7 miles crossing S. C. Highway 7 to the west boundary of Tract No. 18a under option to the United States; thence with the lines of said tract northerly to Corner 1 thereof; thence northeasterly with the old location of the Jones Bridge Road to the new location thereof; thence northeasterly with said Jones Bridge Road crossing Enoree River to Highway 92 at Cross Keys; thence with said S. C. Highway 92 approximately 8 miles, crossing Tyger River, to Fair Forest Creek; thence southeasterly down and with the meanders of Fair Forest Creek, approximately 4 miles, to local road at Harris Bridge; thence northeasterly with local road approximately 4 miles to intersection with U. S. Highway 176 at Hebron Church; thence northeasterly with U. S. Highway 176 1 mile to intersection with local road approximately 2½ miles south of Union; thence northeasterly following said local road approximately 10 miles crossing S. C. Highway 215 and Southern Railway to Coleman Creek; thence easterly down and with the meanders of Coleman Creek, about one mile to Broad River; thence crossing Broad River and running with the left bank thereof in a northeasterly direction about 4 miles to the bridge at Lockhart; thence easterly with State Highway 91, approximately one-fourth mile to the place of beginning.

OCONEE DIVISION

Beginning at Ellicottes Rock, the point where the 35th parallel of latitude intersects the Chattooga River, the common corner of the states of South Carolina, North Carolina and Georgia; thence northeasterly with the North Carolina-South Carolina State Line to a point in Sassafras Gap, a corner of Pickens and Greenville Counties; thence southerly and easterly with the meanders of the Pickens-Greenville County Line, down and with South Saluda River, to a point which is N 45° W from Table Rock; thence S 45° E approximately 1.5 miles to the summit of Table Rock; thence S 38° W approximately 4.8 miles to Oolenoy Bridge; thence S 76°30' W approximately 17.7 miles to corner 2 of Tract No. 307e, property of the United States; thence southerly a straight line to corner 4 of Tract No. 881 property of the United States; thence southerly with the boundary of Tract No. 881 to corner 3 of said tract; thence southerly a straight line to corner 8 of Tract No. 486, property of the United States; thence southwesterly with the boundary of Tract No. 486 to corner 7 of said tract; thence southwesterly a straight line to corner 2 of Tract No. 800-b, property of the United States; thence southwesterly and westerly with the boundary of Tract No. 800-b to corner 13

Oconee Division.

of Tract No. 873, property of the United States; thence southerly and westerly with the boundary of Tract No. 873 to corner 5 of said tract; thence southwesterly a straight line to corner 8 of Tract No. 800a, property of the United States; thence in a general southerly direction with the eastern boundaries of Tracts Nos. 800a, 307c, 800a-I and 886, all the property of the United States, running so as to include them herein, to corner 8 of Tract No. 886; thence southwesterly a straight line to corner 43 of Tract No. 800, property of the United States; thence in a general southerly direction with the eastern boundary of Tract No. 542, property of the United States, to corner 3 of said tract; thence southerly a straight line to corner 60 of Tract No. 800; thence southerly and westerly, with the eastern and southern boundary of Tract No. 800 to corner 64 of said tract; thence southwesterly a straight line to corner 17 of Tract No. 489, property of the United States; thence southerly, with the eastern boundary of Tract No. 489, to corner 3 of said tract; thence southwesterly a straight line to corner 2 of Tract No. 430, property of the United States; thence westerly with the southern boundary of Tract No. 430 to corner 4 of said tract; thence westerly a straight line to corner 21 of Tract No. 800f, property of the United States; thence northwesterly with the southwestern boundaries of Tracts Nos. 800f and 428, to corner 1 of the latter tract; thence northerly a straight line to corner 2 of Tract No. 428a, property of the United States; thence in a general westerly, then northerly, then westerly direction, with the boundaries of Tracts 428a, 302j and 302, so as to include them herein, to corner 14 of Tract No. 302; thence northwesterly a straight line to the junction of the Chattooga and Tallulah Rivers; thence in a general northeasterly direction, with the meanders of the Chattooga River, which forms the Georgia-South Carolina State Line, to the place of beginning.

LONG CANE DIVISION

Long Cane Division

Beginning at the junction of Stevens Creek with Savannah River; thence northwesterly with the meanders of Savannah River to Wallace Landing about 1 mile above the mouth of Dordon Creek; thence easterly with the most direct public road to Parksville; thence northerly with the Scott's Ferry Road to its junction with the Edgefield-Abbeville Road at Liberty Hill; thence northwesterly with the latter road to its junction with South Carolina State Highway No. 43; thence westerly with Highway No. 43 to the point where it crosses Rocky Creek; thence northerly with the meanders of Rocky Creek approximately 2 miles to a point where it is crossed by a public road; thence westerly with said public road to its junction with State Highway No. 10; thence southerly with State Highway No. 10 to the point where it first crosses the C. & W. C. Railroad; thence in a general southeasterly direction with the C. & W. C. Railroad to Plum Branch; thence southwesterly with a public road to a point on the Savannah River near the mouth of a small branch about $\frac{1}{2}$ mile above the mouth of Landon Branch; thence northwesterly with the meanders of Savannah River to Hesters Ferry about $\frac{3}{4}$ mile above the mouth of Patterson Creek; thence northeasterly with a public road to its junction with State Highway No. 82 about $1\frac{1}{2}$ miles west of Willington; thence northwesterly with State Highway No. 82 to Mt. Carmel; thence northeasterly with the Mt. Carmel-Abbeville Road passing Calhoun Mill to the junction with State Highway No. 7; thence

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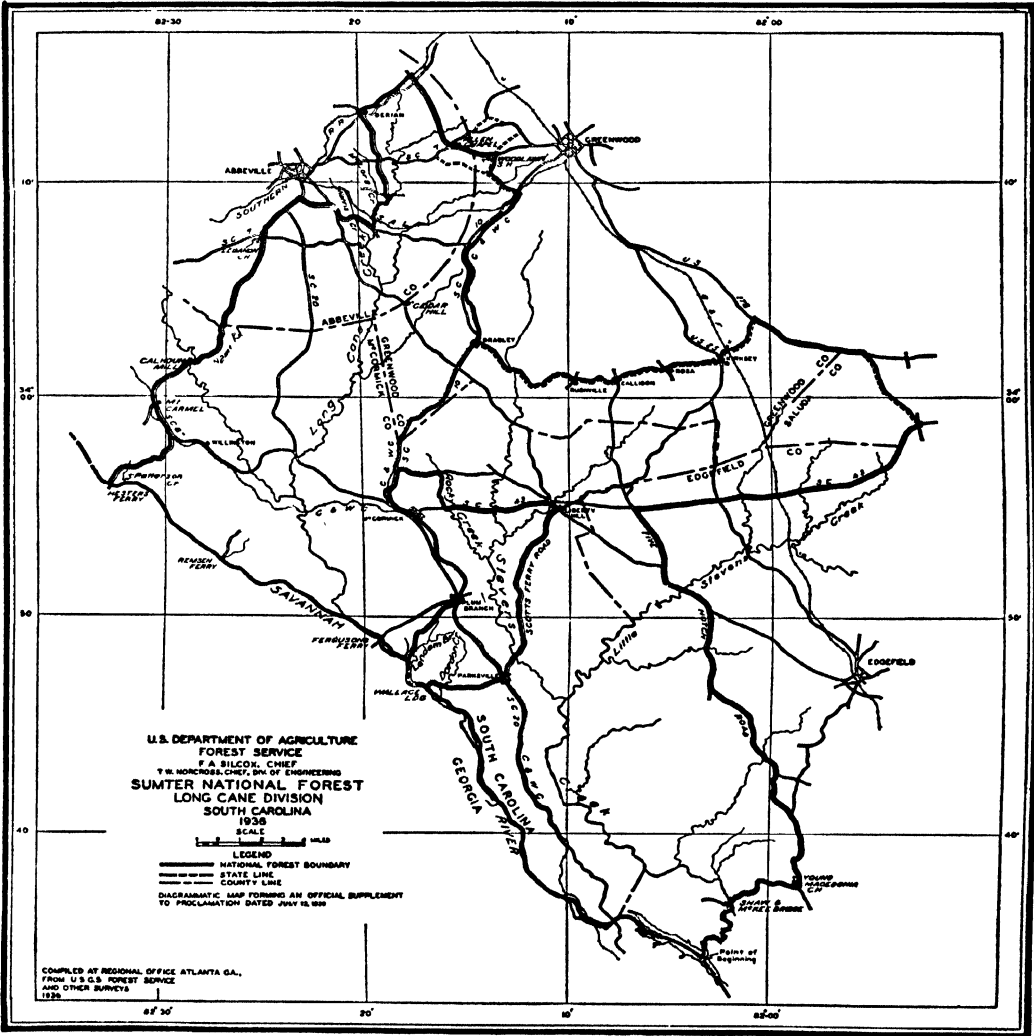
LEGEND

———— NATIONAL FOREST BOUNDARY

———— COUNTY LINE

DIAGRAMATIC MAP FORMING AN OFFICIAL SUPPLEMENT
TO PROHIBITION ACT, DATED JULY 13, 1918





northeasterly with State Highway No. 7 to its junction with an east and west road about 1 mile south of Abbeville; thence easterly with said east and west road to its junction with the Abbeville-Cedar Hill Road; thence southerly with the meanders of the Abbeville-Cedar Hill Road approximately 1 mile to a road fork; thence easterly with a public road crossing Norris Creek to the point where said road crosses Long Cane Creek; thence northerly with the meanders of Long Cane Creek to the point where said creek is crossed by a public road about $\frac{3}{4}$ mile above the mouth of McCord Creek; thence westerly with said public road approximately $\frac{1}{4}$ mile to first road fork; thence northerly with the right-hand road to the point where said road crosses the Southern Railway at Deriah; thence a northeasterly direction with the meanders of the Southern Railway approximately 3 miles to the point where it is crossed by a public road; thence southeasterly with said road crossing State Highway No. 7 at Allen's Chapel to a junction with another road at Woodlawn School; thence southwesterly with said road approximately 1 mile to the junction with a secondary road connecting State Highways Nos. 10 and 7; thence southeasterly with said secondary road passing its junction with State Highway No. 10 to a point on the C. & W. C. Railroad; thence southwesterly with the meanders of the C. & W. C. Railroad to Bradley; thence southeasterly, easterly, and northeasterly with the meanders of a secondary road passing Rushville, Callison and Rosa, crossing U. S. Highway No. 25, about $\frac{1}{4}$ mile south of Kirksey, passing Kirksey and taking right-hand road about $\frac{1}{4}$ mile north thereof, to its junction with U. S. Highway No. 178; thence southeasterly with U. S. Highway No. 178 approximately $5\frac{1}{2}$ miles to its junction with a secondary road leading to the right; thence southeasterly with the meanders of said secondary road to its junction with State Highway No. 43; thence southwesterly and westerly with State Highway No. 43, to its junction with the Five Notch Road; thence in a general southeasterly direction with the meanders of the Five Notch Road to a road fork at Young Macedonia Church; thence westerly with the meanders of the right-hand road to the point where it crosses Stevens Creek at the Shaw and McKee Bridge; thence southwesterly with the meanders of Stevens Creek to the place of beginning.

The boundaries of the Sumter National Forest are graphically shown on the diagram attached hereto and made a part hereof.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 13th day of July, in the year of our Lord nineteen hundred and thirty-six and of the [SEAL] Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

CONECUH NATIONAL FOREST—ALABAMA

July 17, 1936

[No. 2189]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Conecuh National
Forest, Ala.
Preamble.
Statutory authori-
zation.
36 Stat. 962.
16 U. S. C. §§ 515,
516.

WHEREAS certain forest lands within the State of Alabama have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

WHEREAS it appears that it would be in the public interest to reserve and designate such lands and certain adjoining public lands within the areas hereinafter designated as the Conecuh National Forest:

Reserving, etc., des-
ignated lands for na-
tional forest
26 Stat. 1103.
16 U. S. C. § 471.
36 Stat. 963.
16 U. S. C. § 521.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, sec. 521), do proclaim that there are hereby reserved and set apart as the Conecuh National Forest all lands of the United States within the following-described areas, and that all lands therein which may hereafter be acquired by the United States under authority of the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Conecuh National Forest:

TALLAHASSEE MERIDIAN

Tallahassee Merid-
ian.

T. 6 N., R. 20 W., sections 19 to 23, inclusive, and those parts of sections 26 to 30, inclusive, lying in Alabama;
T. 6 N., R. 21 W., sections 19 and 20, and those parts of sections 29 and 30 lying in Alabama;
T. 6 N., R. 22 W., sections 19 to 24, inclusive, and those parts of sections 25 to 30, inclusive, lying in Alabama;
T. 6 N., R. 23 W., sections 19 to 24, inclusive, and those parts of sections 25 to 30, inclusive, lying in Alabama;
T. 6 N., R. 24 W., sections 19 to 24, inclusive, and those parts of sections 25 to 30, inclusive, lying in Alabama;
T. 6 N., R. 25 W., those parts of sections 25 to 30, inclusive, lying in Alabama;
T. 6 N., R. 26 W., those parts of sections 25 to 30, inclusive, lying in Alabama;
T. 6 N., R. 27 W., those parts of sections 25 to 30, inclusive, lying in Alabama;
T. 6 N., R. 28 W., that part of section 25 lying in Alabama;

ST. STEPHENS MERIDIAN

St. Stephens Merid-
ian.

T. 1 N., R. 11 E., section 1 and those parts of sections 2 to 8, inclusive, lying south of Conecuh River and sections 9 to 36, inclusive;
Tps. 1 N., Rs. 12, 13, 14, 15, and 16 E.;
T. 1 N., R. 17 E., sections 1 to 24, inclusive, and sections 29 to 32, inclusive;
T. 1 N., R. 18 E.;
T. 2 N., R. 11 E., those parts of sections 34 to 36, inclusive, lying south and east of Conecuh River;

- T. 2 N., R. 12 E., those parts of sections 13, 14, 15, 20, 21 and 22 lying south of Conecuh River, sections 23 to 28, inclusive, those parts of sections 29 to 31, inclusive, lying south of Conecuh River, and sections 32 to 36, inclusive;
- T. 2 N., R. 13 E., sections 1 to 4, inclusive, those parts of sections 5, 6, 7 and 18 lying south of Conecuh River, sections 8 to 17, inclusive, and sections 19 to 36, inclusive;
- Tps. 2 N., Rs. 14 and 15 E.;
- T. 2 N., R. 16 E., sections 1 to 3, inclusive, sections 5 to 8, inclusive, and sections 10 to 36, inclusive;
- T. 2 N., R. 17 E., sections 1 to 3, inclusive, sections 5 to 8, inclusive, and sections 10 to 36, inclusive;
- T. 2 N., R. 18 E., sections 4 to 9, inclusive, sections 16 to 21, inclusive, and sections 28 to 33, inclusive;
- T. 3 N., R. 13 E., those parts of sections 25, 27, 28, 32, 33, 34, 35 and 36 lying south of Conecuh River;
- T. 3 N., R. 14 E., those parts of sections 30 and 31 lying south of Conecuh River;
- T. 3 N., R. 16 E., sections 25, 26, 35 and 36;
- T. 3 N., R. 17 E., E½ section 24, sections 25, 30 and 31, S½ section 32, and sections 35 and 36;
- T. 3 N., R. 18 E., sections 19 to 21, inclusive, and sections 28 to 33, inclusive.

The reservation made by this Proclamation shall as to all lands which are at this date legally appropriated under the public-land laws or reserved for any public purpose other than for classification under Executive Order No. 6964 of February 5, 1935, be subject to, and shall not interfere with or defeat, legal rights under such appropriation, nor prevent the use for such public purpose of lands so reserved, so long as such appropriation is legally maintained or such reservation remains in force.

Prior rights not affected

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 17th day of July in the year of our Lord nineteen hundred and thirty-six and of the [SEAL] Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

TALLADEGA NATIONAL FOREST—ALABAMA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS certain forest lands within the State of Alabama have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

WHEREAS it appears that it would be in the public interest to reserve and designate said lands and certain adjoining public lands as the Talladega National Forest:

Talladega National Forest, Ala.
Preamble.
Statutory authorization.
36 Stat 962
16 U. S. C. §§ 515, 516.

July 17, 1936
[No 2190]

Reserving, etc., designated lands for national forest
26 Stat 1103
16 U. S. C. § 471

36 Stat 963
16 U. S. C. § 521

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the authority vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), and section 11 of the said act of March 1, 1911 (U. S. C., title 16, sec. 521), do proclaim that there are hereby reserved and set apart as the Talladega National Forest all lands of the United States within the following-described areas, and that all lands therein which may hereafter be acquired by the United States under authority of the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Talladega National Forest:

Talladega Division

TALLADEGA DIVISION

HUNTSVILLE MERIDIAN

Huntsville Meridian

- T. 13 S., R. 9 E., S½ section 13, S½ section 22, sections 23 to 27, inclusive, and sections 34 to 36, inclusive;
- T. 13 S., R. 10 E., sections 13 to 15, inclusive, S½ sections 16 to 18, inclusive, and sections 19 to 36, inclusive;
- T. 13 S., R. 11 E., sections 1, 2, 11 to 14, inclusive, and sections 19 to 36, inclusive;
- T. 13 S., R. 12 E., sections 5 to 8, inclusive, sections 17 to 20, inclusive, sections 29 to 32, inclusive, and fractional sections 4, 9, 16, 21, 28, 33 and 34;
- T. 14 S., R. 9 E., sections 1 to 5, inclusive, sections 8 to 17, inclusive, section 20, E½ section 25, and section 36;
- T. 14 S., R. 10 E.;
- T. 14 S., R. 11 E., sections 1 to 24, inclusive, and sections 30 and 31;
- T. 14 S., R. 12 E., sections 4 to 9, inclusive, sections 16 to 21, inclusive, and fractional sections 3, 10, 15 and 22;
- T. 15 S., R. 9 E., sections 1, 12, 13, 24, 25 and 36;
- T. 15 S., R. 10 E.;
- T. 15 S., R. 11 E., sections 6, 7, 18, 19, 30 and 31;
- T. 16 S., R. 9 E., sections 1, 12 and 13, S½S½ sections 20 and 21, sections 22 to 29, inclusive, S½S½ section 30, and sections 31 to 36, inclusive;
- T. 16 S., R. 10 E., sections 5 to 8, inclusive, sections 17 to 20, inclusive, and sections 29 to 32, inclusive;
- T. 17 S., R. 7 E., sections 13 and 14, E½ section 21, sections 22 to 27, inclusive, E½ section 28, that part of section 31 lying east of the Louisville and Nashville Railroad, and sections 32 to 36, inclusive;
- T. 17 S., R. 8 E., S½ and S½N½ section 1, and sections 10 to 36, inclusive;
- T. 17 S., R. 9 E.;
- T. 18 S., R. 6 E., those parts of sections 1, 12, 13, 24, 25, 34, 35 and 36 lying east and south of the Louisville and Nashville Railroad;
- T. 18 S., R. 7 E.;
- T. 18 S., R. 8 E., sections 1 and 2, N¼, SW¼ and N¼SE¼ section 5, sections 6 and 7, NW¼ and N¼SW¼ section 8, E½ section 10, sections 11 to 15, inclusive, SW¼NW¼, NW¼SW¼ and S½SW¼ section 17, sections 18 and 19, W½ and S½SE¼ section 20, NE¼, E½NW¼ and S½ section 21, and sections 22 to 36, inclusive;

- T. 18 S., R. 9 E., sections 4 to 8, inclusive, N½ section 17, and section 18;
 T. 19 S., R. 5 E., section 13, SE¼ section 14, SE¼ section 22, sections 23 to 27, inclusive, S½ section 28, and sections 33 to 36, inclusive;
 T. 19 S., R. 6 E., sections 1 to 3, inclusive, S½ sections 7 and 8 and sections 9 to 36, inclusive;
 T. 19 S., R. 7 E.;
 T. 19 S., R. 8 E., sections 4 to 9, inclusive, sections 16 to 21, inclusive, and sections 28 to 33, inclusive;
 T. 20 S., R. 4 E., sections 24, 35, and 36, and those parts of sections 12, 13, 14, 22, 23, 26, 27 and 35 lying east of the Louisville and Nashville Railroad;
 T. 20 S., R. 5 E., sections 1 to 4, inclusive, E½ section 5, that part of section 7 lying southeast of the Louisville and Nashville Railroad, and sections 8 to 36, inclusive;
 T. 20 S., R. 6 E.;
 T. 20 S., R. 7 E., sections 4 to 9, inclusive, sections 16 to 21, inclusive, and sections 28 to 33, inclusive;
 T. 21 S., R. 4 E., sections 1, 12, 13, sections 22 to 28, inclusive, sections 34 to 36, inclusive, those parts of sections 2, 11, 14, 15 and 21 lying southeast of the Louisville and Nashville Railroad, and that part of section 33 lying east of the Central of Georgia Railroad;
 T. 21 S., R. 5 E.;
 T. 21 S., R. 6 E., sections 1 to 9, inclusive, sections 16 to 21, inclusive, and sections 28 to 33, inclusive;
 T. 21 S., R. 7 E., sections 4 to 6, inclusive;
 T. 22 S., R. 4 E., sections 1 to 3, inclusive, and those parts of sections 4, 9, 10, 11 and 12 lying east and north of the Central of Georgia Railroad;
 T. 22 S., R. 5 E., sections 1 to 10, inclusive;
 T. 22 S., R. 6 E., sections 4 to 6, inclusive, E½ section 8, and section 9.

OAKMULGEE DIVISION

Oakmulgee Division.

ST. STEPHENS MERIDIAN

- T. 19 N., R. 9 E., sections 1 to 3, inclusive, sections 10 to 15, inclusive, sections 22 to 27, inclusive, and sections 34 to 36, inclusive;
 T. 19 N., R. 10 E.;
 T. 20 N., R. 8 E., sections 1, 2, 12, 13, and those parts of sections 3, 10, 11 and 14 lying east of Cahaba River;
 T. 20 N., R. 9 E., sections 1 to 18, inclusive, sections 22 to 27, inclusive and sections 34 to 36, inclusive;
 T. 20 N., R. 10 E.;
 T. 20 N., R. 11 E., sections 1 to 21, inclusive, and sections 28 to 33, inclusive;
 T. 21 N., R. 8 E., sections 13, 23, 24, 25, 26, 35 and 36 and those parts of sections 11, 12, 14, 15, 21, 22, 27, 28 and 34 lying east of Cahaba River;
 T. 21 N., R. 9 E., sections 1 to 4, inclusive, and those parts of sections 5, 6 and 7 lying east of Cahaba River and sections 8 to 36, inclusive;

St. Stephens Meridian.

Tps. 21 N., Rs. 10 and 11 E.;

T. 21 N., R. 12 E., sections 5 to 8, inclusive, sections 17 to 19, inclusive, N½ and SW¼ section 20, W½ section 29, sections 30 and 31, and W½ section 32;

T. 22 N., R. 9 E., section 13 and sections 23 to 27, inclusive, sections 33 to 36, inclusive, and those parts of sections 14, 15, 21, 22, 28, 29, 31 and 32 lying east of Cahaba River;

T. 22 N., R. 10 E., sections 1 to 5, inclusive, and sections 8 to 36, inclusive;

T. 22 N., R. 11 E.;

T. 22 N., R. 12 E., sections 5 to 8, inclusive, sections 17 to 20, inclusive, and sections 29 to 32, inclusive;

T. 23 N., R. 10 E., sections 1 to 3, inclusive, sections 10 to 15, inclusive, sections 22 to 27, inclusive, and sections 34 to 36, inclusive;

T. 23 N., R. 11 E.;

T. 23 N., R. 12 E., sections 5 to 8, inclusive, sections 17 to 20, inclusive, and sections 29 to 32, inclusive.

Prior rights not affected

The reservation made by this Proclamation shall as to all lands which are at this date legally appropriated under the public land laws or reserved for any public purpose other than for classification under Executive Order No. 6964 of February 5, 1935, be subject to, and shall not interfere with or defeat, legal rights under such appropriation, nor prevent the use for such public purpose of lands so reserved, so long as such appropriation is legally maintained or such reservation remains in force.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 17th day of July, in the year of our Lord nineteen hundred and thirty-six and of the [SEAL] independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

HOMOCHITTO NATIONAL FOREST—MISSISSIPPI

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Homochitto National Forest, Miss. Preamble. Statutory authorization. 36 Stat. 962. 16 U. S. C. §§ 515, 516.

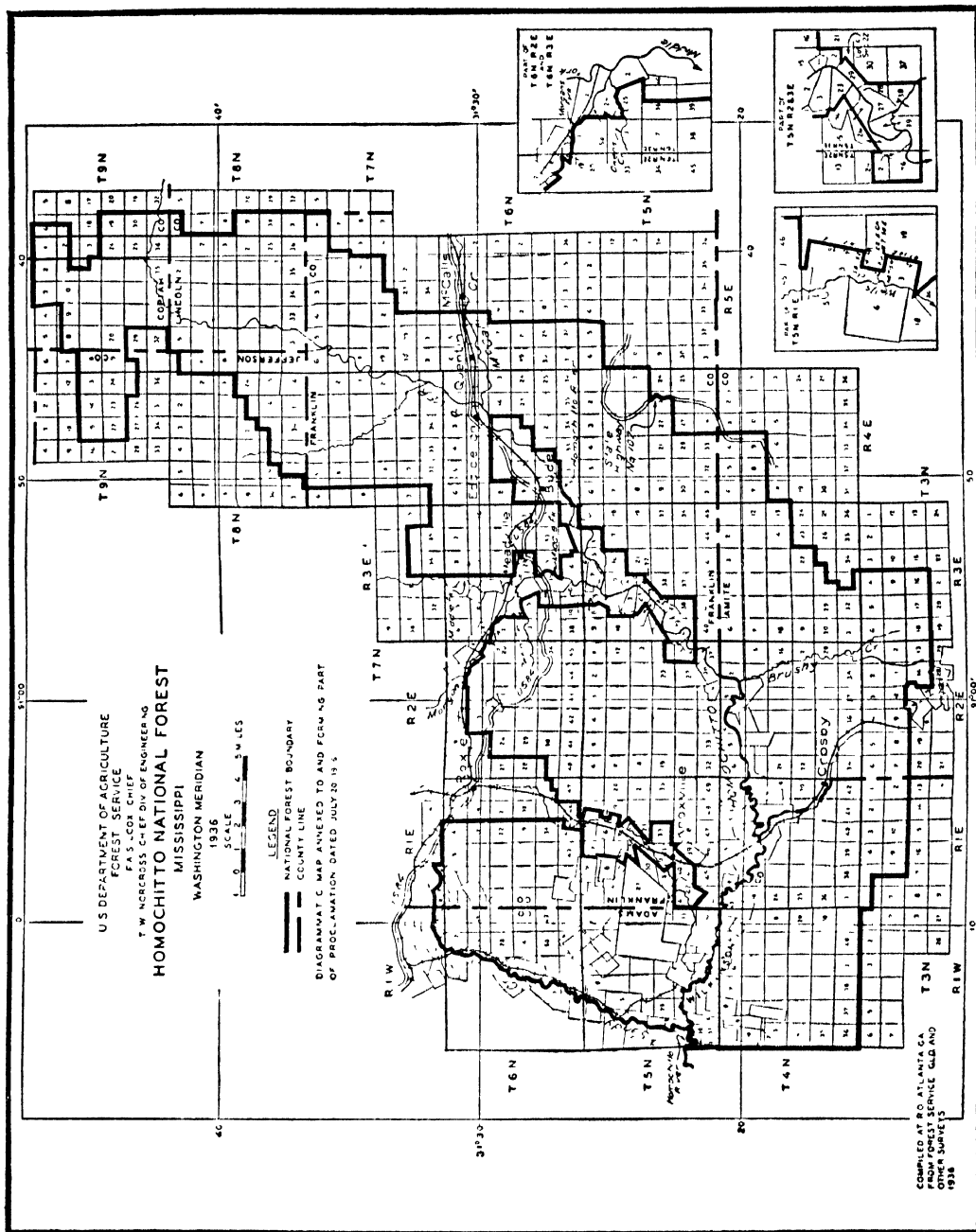
WHEREAS certain forest lands within the State of Mississippi have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

WHEREAS it appears that it would be in the public interest to reserve and designate said lands and certain adjoining public lands as the Homochitto National Forest:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the authority vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), and section 11 of the said act of March 1, 1911 (U. S. C., title 16, sec. 521), do proclaim

Reserving, etc., designated lands for national forest.

26 Stat. 1103. 16 U. S. C. § 471. 36 Stat. 963. 16 U. S. C. § 521.



that there are hereby reserved and set apart as the Homochitto National Forest all lands of the United States within the area shown on the diagram hereto attached and made a part hereof, and that all lands therein which may hereafter be acquired by the United States under authority of the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Homochitto National Forest.

The reservation made by this Proclamation shall as to all lands which are at this date legally appropriated under the public-land laws or reserved for any public purpose other than classification be subject to, and shall not interfere with or defeat, legal rights under such appropriation, nor prevent the use for such public purpose of lands so reserved, so long as such appropriation is legally maintained or such reservation remains in force.

Prior rights not affected.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 20th day of July, in the year of our Lord nineteen hundred and thirty-six and of the [SEAL] Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

CROATAN NATIONAL FOREST—NORTH CAROLINA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

July 29, 1936

[No. 2192]

A PROCLAMATION

WHEREAS certain forest lands within the State of North Carolina have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, sections 515, 516); and

Croatan National Forest, N. C.
Preamble.
Statutory authorization.
36 Stat. 962.
16 U. S. C. §§ 515, 516.

WHEREAS it appears that it would be in the public interest to reserve and designate such lands as the Croatan National Forest:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, section 471), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, section 521), do proclaim that there are hereby reserved and set apart as the Croatan National Forest all lands of the United States within the following-described area, and that all lands therein which may hereafter be acquired by the United States under authority of said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Croatan National Forest:

Reserving, etc., designated lands for national forest.
26 Stat. 1103.
16 U. S. C. § 471
36 Stat. 963.
16 U. S. C. § 521.

Beginning at the confluence of Brices Creek and Trent River about two miles south of New Bern in the State of North Carolina; thence southerly up Brices Creek to the confluence with Lees Branch; thence up Lees Branch about one mile to where the Rockwell line leaves it northward; thence with the Rockwell line northerly about $\frac{3}{4}$ mile; thence with the Rockwell line easterly to the Norfolk Southern Railway; thence with the Norfolk Southern Railway southeasterly about $1\frac{1}{2}$ miles to where road

Description.

crosses leading to Camp KI-RO; thence with the road leading to Camp KI-RO northeasterly and continuing a straight course about one mile to Neuse River; thence down the right bank of Neuse River about 15 miles to the mouth of Clubfoot Creek; thence with Clubfoot Creek, the Old Inland Waterway and Harlowe Creek to Newport River; thence up the left bank of Newport River about 10 miles to State Highway No. 10; thence with said Highway southeasterly about 3 miles to the road leading to Catholic Orphanage Camp; thence along said road southward about $\frac{3}{4}$ mile to State Highway No. 24; thence with said Highway westward about 16 miles to White Oak River; thence up the left bank of White Oak River about 25 miles to State Highway No. 30; thence with said Highway northeasterly about $9\frac{1}{2}$ miles to Trent River; thence down the right bank of Trent River about 14 miles to the place of beginning.

The area described above is graphically shown on the diagram attached hereto and made a part hereof.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 29th day of July, in the year of our Lord nineteen hundred and thirty-six and of the [SEAL] Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

JOSHUA TREE NATIONAL MONUMENT—CALIFORNIA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

August 10, 1936
[No. 2193]

Joshua Tree Na-
tional Monument,
Calif
Preamble.

WHEREAS certain public lands in the State of California contain historic and prehistoric structures, and have situated thereon various objects of historic and scientific interest; and

WHEREAS it appears that it would be in the public interest to reserve such lands as a national monument, to be known as the Joshua Tree National Monument:

Reservation of areas
for national monu-
ment
34 Stat. 225
16 U. S. C. § 431.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the act of June 8, 1906, ch. 3060, 34 Stat. 225 (U. S. C., title 16, sec. 431), do proclaim that, subject to existing rights and prior withdrawals, the following-described lands in California are hereby reserved from all forms of appropriation under the public-land laws and set apart as the Joshua Tree National Monument:

SAN BERNARDINO MERIDIAN

San Bernardino
Meridian.

T. 1 S., R. 5 E., secs. 19 to 36, inclusive.
T. 2 S., R. 5 E., secs. 1 to 6, 11 to 13, inclusive, and those parts of secs. 7, 8, 9, 10, 14, 15 and 24 lying north of the north boundary of the Colorado River Aqueduct right-of-way.

- T. 1 S., R. 6 E., secs. 19 to 36, inclusive.
 T. 2 S., R. 6 E., secs. 1 to 18, 21 to 26, inclusive, and those parts of secs. 19, 20, 27, 28, 34, 35 and 36 lying north of aqueduct right-of-way.
 T. 3 S., R. 6 E., that part of sec. 1 lying north of aqueduct right-of-way.
 Ts. 1 and 2 S., R. 7 E. (Partly unsurveyed).
 T. 3 S., R. 7 E., secs. 1 to 6, 8 to 16, 23 to 24, inclusive, and those parts of secs. 7, 17, 18, 21, 22, 25 and 26 lying north of aqueduct right-of-way.
 Ts. 1 and 2 S., R. 8 E. (partly unsurveyed).
 T. 3 S., R. 8 E., secs. 1 to 30, 33 to 36, inclusive, and those parts of secs. 31 and 32 lying north of aqueduct right-of-way.
 T. 4 S., R. 8 E., those parts of secs. 4 and 5 lying north of aqueduct right-of-way.
 T. 1 S., R. 9 E., secs. 5 to 9 and 16 to 36, inclusive.
 Ts. 2 and 3 S., R. 9 E. (partly unsurveyed).
 Ts. 1 to 3 S., R. 10 E. (partly unsurveyed).
 T. 5 S., R. 10 E., secs. 1 to 30, inclusive, and those parts of secs. 31 to 36 lying north of aqueduct right-of-way.
 Ts. 1 to 4 S., R. 11 E. (partly unsurveyed).
 T. 5 S., R. 11 E., secs. 1 to 30 and 32 to 36, inclusive, and that part of sec. 31 lying north of aqueduct right-of-way.
 T. 6 S., R. 11 E., those parts of secs. 1 to 6 lying north of aqueduct right-of-way.
 Ts. 1 to 5 S., R. 12 E. (partly unsurveyed).
 T. 6 S., R. 12 E., those parts of secs. 1 to 6 lying north of aqueduct right-of-way.
 Ts. 1 to 4 S., R. 13 E. (partly unsurveyed).
 T. 5 S., R. 13 E., secs. 1 to 24, inclusive, and those parts of secs. 28, 29, 30 and 31 lying north of aqueduct right-of-way (partly unsurveyed).
 Ts. 1 to 3 S., R. 14 E. (partly unsurveyed).
 T. 4 S., R. 14 E., secs. 1 to 11, 14 to 23, 27 to 34, inclusive, and those parts of secs. 12, 13, 24, 25, 26 and 35 lying west of aqueduct right-of-way (unsurveyed).
 Ts. 1 and 2 S., R. 15 E. (partly unsurveyed).
 T. 3 S., R. 15 E., secs. 1 to 19, inclusive, and sec. 24; those parts of secs. 20, 21, 22, 23, 25, 26, 29, 30 and 31 lying north of aqueduct right-of-way (partly unsurveyed).
 T. 4 S., R. 15 E., those parts of secs. 6 and 7 lying west of aqueduct right-of-way;
 containing approximately 825,340 acres.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of the monument as provided in the act of Congress entitled "An Act To establish a National Park Service, and for other purposes," approved August 25, 1916 (ch. 408, 39 Stat. 535, U. S. C., title 16, secs. 1 and 2), and acts supplementary thereto or amendatory thereof.

Warning against unauthorized acts.

Supervision.

39 Stat. 535.
 16 U. S. C. §§ 1, 2.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 10th day of August, in the year of our Lord nineteen hundred and thirty-six and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President,
WILLIAM PHILLIPS
Acting Secretary of State.

AMENDING REGULATIONS ON MIGRATORY GAME BIRDS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

August 12, 1936
[No 2194]

Protection of mi-
gratory birds
Preamble
40 Stat 755
16 U. S. C §§ 703-
711

39 Stat 1702.

40 Stat 3465.

WHEREAS the Secretary of Agriculture, pursuant to section 3 of the Migratory Bird Treaty Act (40 Stat. 755; U. S. C., title 16, secs. 703-711), and having due regard to the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times and lines of migratory flight of migratory birds included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds concluded August sixteenth, nineteen hundred and sixteen, has determined when, to what extent, and by what means it is compatible with the terms of said Convention to allow hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, and export of such birds and parts thereof and their nests and eggs, and in accordance with such determinations has adopted and submitted to me regulations further amendatory of the regulations approved and proclaimed July 31, 1918, which said further amendatory regulations he, the said Secretary of Agriculture, has determined to be suitable regulations, permitting and governing the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, and export of said birds and parts thereof and their nests and eggs, and which said further amendatory regulations are as follows:

Regulation 3, "Means by Which Migratory Game Birds May Be Taken", is amended to read as follows:

REGULATION 3.—MEANS BY WHICH MIGRATORY GAME BIRDS MAY BE TAKEN

Regulations for tak-
ing modified

The migratory game birds for which open seasons are specified in regulation 4 hereof may be taken during such respective open seasons with a shotgun only, not larger than no. 10 gage, fired from the shoulder, except as specifically permitted by regulations 7, 8, 9, and 10 hereof, but they shall not be taken with or by means of any automatic-loading or hand-operated repeating shotgun capable of holding more than 3 shells, the magazine of which has not been cut off or plugged with a one-piece metal or wooden filler incapable of removal through the loading end thereof, so as to reduce the capacity of said gun to not more than 3 shells at one loading; they may be taken during the open season from the land or water, with the aid of a dog, and from a blind, boat, or floating craft except sinkbox (battery), power boat, sailboat, any boat under sail and any craft or device of any kind towed by power boat or sailboat; but nothing herein shall permit the taking of migratory game birds from or by means, aid or use of an automobile or aircraft of any kind.

Waterfowl (except for propagation, scientific or banding purposes under permit pursuant to regulations 8 and 9 of these regulations) and mourning doves are not permitted to be taken by means, aid or use, directly or indirectly, of corn, wheat, oats, or other grain or products thereof, salt, or any kind of feed whatsoever, placed, deposited, distributed, scattered, or otherwise put out whereby such waterfowl or doves are lured, attracted, or enticed; and in the taking of waterfowl, the use directly or indirectly, of live duck or goose decoys is not permitted; nor shall anything in these regulations be deemed to permit the use of aircraft of any kind, or of a power boat, sailboat, or other floating craft or device of any kind, for the purpose of concentrating, driving, rallying, or stirring up migratory waterfowl.

Waterfowl, etc.

Regulation 4, "Open Seasons on and Possession of Certain Migratory Game Birds", is amended to read as follows:

49 Stat. 3466.

REGULATION 4—OPEN SEASONS ON AND POSSESSION OF CERTAIN MIGRATORY GAME BIRDS

Open seasons.

Waterfowl (except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, canvasback duck, redhead duck, ruddy duck, bufflehead duck, and swans), and coot, may be taken each day from 7 a. m. to 4 p. m., standard time, and rails and gallinules (other than coot), Wilson's snipe or jacksnipe, woodcock, mourning doves, and band-tailed pigeons from 7 a. m., standard time, to sunset each day during the open seasons prescribed therefor in this regulation, and they may be taken by the means and in the numbers permitted by regulations 3 and 5 hereof, respectively, and when so taken may be possessed in the numbers permitted by regulation 5 any day in any State, Territory, or District during the period constituting the open season where killed and for an additional period of 10 days next succeeding said open season, but no such bird shall be possessed in a State, Territory, or District at a time when such State, Territory, or District prohibits the possession thereof. Nothing herein shall be deemed to permit the taking of migratory birds on any reservation or sanctuary established under the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222) nor on any area of the United States set aside under any other law, proclamation, or Executive order for use as a bird, game, or other wildlife reservation, breeding grounds, or refuge except insofar as may be permitted by the Secretary of Agriculture under existing law, nor on any area adjacent to any such refuge when such area is designated as a closed area under the Migratory Bird Treaty Act.

Time specified Regulations modified.

Daylight requirements

Hunting on reservations, etc.

45 Stat. 1222
16 U. S. C. §§ 715-716r.

Waterfowl (except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, ruddy duck, canvasback duck, redhead duck, bufflehead duck, and swans), Wilson's snipe or jacksnipe, and coot.—The open seasons for waterfowl (except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, ruddy duck, canvasback duck, redhead duck, bufflehead duck, and swans), Wilson's snipe or jacksnipe, and coot, in the several States and Alaska, shall be as follows, both dates inclusive:

Geographical limitations.
Waterfowl.

In Maine, Michigan, Minnesota, Montana, New Hampshire, North Dakota, South Dakota, Vermont, and Wisconsin, October 10 to November 8;

In Arizona, California, Colorado, Connecticut, Idaho, Illinois, Indiana, Iowa, Kansas, Massachusetts, Missouri, Nebraska, Nevada, New Mexico, New York, including Long Island, Ohio, Oregon, Pennsylvania, Rhode Island, Utah, Washington, West Virginia, and Wyoming, November 1 to November 30;

In Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, New Jersey, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia, November 26 to December 25;

In Alaska north of the Alaska Range and the Ahklun Mountains, September 1 to September 30; south of the Alaska Range and the Ahklun Mountains west of the 141st meridian and east of False Pass at the tip of the Alaska Peninsula, September 16 to October 15; southeastern Alaska from the 141st meridian to Dixons Entrance, October 1 to October 30; and Islands of Unimak, Unalaska, Akutan, and Akun west of Unimak Pass in the Aleutian Island group, November 1 to November 30.

Rails and gallinules
(except coot).

Rails and gallinules (*except coot*).—The open season for rails and gallinules (except coot) shall be from September 1 to November 30, both dates inclusive, except as follows:

Washington and Massachusetts, October 1 to November 30;

New York, including Long Island, November 1 to November 30;

Wisconsin, October 10 to November 8;

Alabama, November 20 to January 31;

Connecticut, September 15 to November 30;

Louisiana, November 1 to January 31; and

District of Columbia, no open season.

Woodcock.

Woodcock.—The open seasons for woodcock shall be as follows, both dates inclusive:

Wisconsin October 17 to October 31;

That portion of New York lying north of the tracks of the main line of the New York Central Railroad extending from Buffalo to Albany, and north of the tracks of the main line of the Boston & Albany Railroad extending from Albany to the Massachusetts State line, and in Maine, New Hampshire, Vermont, Michigan, and North Dakota, October 1 to October 31;

That portion of New York lying south of the line above described, including Long Island, and in Delaware, New Jersey, Pennsylvania, Ohio, Indiana, and Iowa, October 15 to November 14;

Massachusetts, Rhode Island, and Connecticut, October 21 to November 20;

Missouri, November 10 to December 10;

Maryland, Virginia, West Virginia, Kentucky, Arkansas, and Oklahoma, November 15 to December 15; and

North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Louisiana, December 1 to December 31.

Doves.

Doves.—The open seasons for mourning doves shall be as follows, both dates inclusive:

Arizona, Arkansas, California, Idaho, Illinois, Kansas, Kentucky, Minnesota, Missouri, New Mexico, Nevada, Oklahoma, Oregon, Tennessee, Utah, and Virginia, September 1 to November 15;

Delaware, September 15 to November 30;

Maryland, September 1 to September 30 and November 15 to December 31;

Florida (except in Dade, Broward, and Monroe Counties), and Louisiana, November 20 to January 31;

That portion of Florida comprising Dade, Broward, and Monroe Counties, October 1 to November 15;

North Carolina, September 1 to September 30 and December 20 to January 31;

Alabama, in the counties of Pickens, Tuscaloosa, Jefferson, Shelby, Talladega, Clay, Randolph, and all counties north thereof; Georgia, in the counties of Troup, Meriwether, Pike, Lamar, Monroe, Jones, Baldwin, Washington, Jefferson, Burke, and all counties north thereof; Mississippi, in the counties of Washington, Humphreys, Holmes,

Attala, Winston, Noxubee, and all counties north thereof; and South Carolina, in the counties of Edgefield, Saluda, Newberry, Fairfield, Lancaster, Chesterfield, and all counties north thereof, September 1 to September 30 and December 20 to January 31;

Alabama, Georgia, Mississippi, and South Carolina, in the counties other than those aforesaid, November 20 to January 31;

That portion of Texas north or northerly of a line beginning at the Rio Grande west of Del Rio, thence to Del Rio, thence east along Southern Pacific Railway to San Antonio, thence along International Great Northern Railway to Austin, thence east along Houston and Texas Central Railway to Brazos River, thence north up Brazos River to where Beaumont branch of Gulf, Colorado & Santa Fe Railway crosses said river, thence east along Gulf, Colorado & Santa Fe Railway to intersection with Houston East & West Texas Railway at Cleveland, thence along Houston East & West Texas Railway to the Louisiana border except the counties of Bastrop, Brazos, Burleson, Fayette, Grimes, Lee, Limestone, Milam, Montgomery, Robertson, San Jacinto, Smith, Washington, and Wood, September 1 to October 31; and

That portion of Texas south of the above described boundaries and the counties hereinabove excepted, December 1 to January 16.

Band-tailed pigeons.—The open seasons for band-tailed pigeons shall be as follows, both dates inclusive:

Band-tailed pigeons.

California, December 1 to December 15;

Arizona and Oregon, October 16 to October 30;

New Mexico, October 1 to October 15; and

Washington, September 16 to September 30.

Regulation 5, "Daily Bag and Possession Limits on Certain Migratory Game Birds", is amended to read as follows:

49 Stat 3460

REGULATION 5.—DAILY BAG AND POSSESSION LIMITS ON CERTAIN MIGRATORY GAME BIRDS

A person may take in any one day during the open seasons prescribed therefor in regulation 4 not to exceed the following numbers of migratory game birds, which numbers shall include all birds taken by any other person who for hire accompanies or assists him in taking such birds; and when so taken these may be possessed in the numbers specified as follows:

Bag and possession limits.

Ducks (except wood duck, canvasback duck, redhead duck, ruddy duck, and bufflehead duck).—Ten in the aggregate of all kinds, and any person at any one time may possess not more than 10 ducks in the aggregate of all kinds.

Ducks.

Geese and brant (except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, and Ross's goose).—Four in the aggregate of all kinds, and any person at any one time may possess not more than 4 geese and brant in the aggregate of all kinds.

Geese and brant

Rails and gallinules (except sora and coot).—Fifteen in the aggregate of all kinds, and any person at any one time may possess not more than 15 in the aggregate of all kinds.

Rails and gallinules.

Sora.—Twenty-five, and any person at any one time may possess not more than 25.

Sora.

Coot.—Fifteen, and any person at any one time may possess not more than 15.

Coot

Wilson's snipe or jacksnipe.—Fifteen, and any person at any one time may possess not more than 15.

Wilson's snipe or jacksnipe

Woodcock.—Four, and any person at any one time may possess not more than 4.

Woodcock.

Mourning doves.—Twenty, and any person at any one time may possess not more than 20.

Mourning doves.

Band-tailed pigeons

Limits applicable to imports from Canada, etc

49 Stat 3461.

Band-tailed pigeons.—Ten, and any person at any one time may possess not more than 10.

The possession limits hereinbefore prescribed shall apply as well to ducks, geese, brant, rails including coot and gallinules, Wilson's snipe or jacksnipe, woodcock, mourning doves, and band-tailed pigeons taken in Canada or other foreign country and brought into the United States, as to those taken in the United States.

Regulation 6, "Shipment, Transportation, and Possession of Certain Migratory Game Birds", is amended to read as follows:

REGULATION 6.—SHIPMENT, TRANSPORTATION, AND POSSESSION OF CERTAIN MIGRATORY GAME BIRDS

Shipment, transportation, and possession
Additional regulations

The migratory game birds of a species for which open seasons are prescribed by regulation 4 of these regulations, and parts thereof, legally taken may be transported in any manner in or out of the State where taken during the respective open seasons in that State, and when legally taken in and exported from Canada may be imported into the United States during the open season in the Province where taken, but not more than the number thereof that may be taken in 1 day by one person under these regulations shall be transported by one person in 1 calendar week out of the State where taken or from Canada into the United States; any such birds or parts thereof in transit during the open season may continue in transit such additional time immediately succeeding such open season, not to exceed 5 days, necessary to deliver the same to their destination, and may be possessed in any State, Territory, or District during the period constituting the open season where killed, and for an additional period of 10 days next succeeding said open season; and any package in which such birds or parts thereof are transported shall have the name and address of the shipper and of the consignee and an accurate statement of the numbers and kinds of birds or parts thereof contained therein clearly and conspicuously marked on the outside thereof; but no such birds or parts thereof shall be transported from any State, Territory, or District to or through another State, Territory, or District or to or through a Province of the Dominion of Canada contrary to the laws of the State, Territory, or District in which they were taken or from which they are transported; nor shall any such birds or parts thereof be transported into any State, Territory, or District from another State, Territory, or District, or Province of the Dominion of Canada, or from any State, Territory, or District into any Province of the Dominion of Canada, at a time when any such State, Territory, or District, or Province of the Dominion of Canada, into which they are transported prohibits the possession or transportation thereof.

Imports other than from Canada

Ante, p 1763

Migratory game birds imported from countries other than Canada.—Migratory game birds of a species for which an open season is prescribed by regulation 4, lawfully taken in and exported from a foreign country (other than Canada, for which provision is hereinbefore made), may be transported to and possessed in any State of the United States during the open season prescribed by regulation 4 in such State for that species and for a period of 10 days immediately succeeding such open season, and in the District of Columbia during the open season so prescribed for Maryland and 10 days thereafter, in numbers in any 1 calendar week not exceeding those permitted to be taken in 1 day by regulation 5, if transportation and possession of such birds is not prohibited by the laws of such State or District and if imported and transported in packages marked as hereinbefore provided.

43 Stat. 1916.

Regulation 8, "Permits to Propagate and Sell Migratory Waterfowl", is amended to read as follows:

REGULATION 8.—PERMITS TO PROPAGATE AND SELL MIGRATORY WATERFOWL

Waterfowl propagation, etc.

Permit requirements modified.

1. A person in possession of a valid, subsisting permit issued to him by a State, on its part, authorizing him to take therein migratory waterfowl or their eggs for propagating purposes, may take such birds or their eggs in such State for such purposes when authorized by a permit issued to him by the Secretary, which permit may limit the species and numbers of birds or eggs that may be taken and the period during which and the locality where they may be taken. Both permits shall be carried on the person of the permittee when he is taking migratory waterfowl or their eggs and shall be exhibited to any person requesting to see them. Waterfowl and their eggs so taken may be possessed by the permittee and may be sold and transported by him for propagating purposes to any person holding a permit issued by the Secretary in accordance with the provisions of this regulation.

2. A person in possession of a valid, subsisting permit issued to him by a State, on its part, authorizing him to possess, buy, sell, and transport migratory waterfowl and their increase and eggs for propagating purposes, may possess, buy, sell, and transport such waterfowl and their increase and eggs for such purposes when authorized by a permit issued to him by the Secretary; and migratory waterfowl, except the birds taken under paragraph 1 of this regulation, so possessed may be killed by him at any time and in any manner (except that they may be killed by shooting only during the open season for waterfowl in the State where killed), and the carcasses, with heads and feet attached thereto, may be sold and transported by him to any person for actual consumption, or to the keeper of a hotel, restaurant, or boarding house, a retail dealer in meat or game, or a club, for sale or service to their patrons, who may possess such carcasses for actual consumption without a permit, but no such birds that have been killed shall be bartered, sold, or bought unless each bird before attaining the age of 4 weeks shall have had removed from the web of one foot a portion thereof in the form of a V large enough to make a permanent, well-defined mark, which shall be sufficient to identify it as a bird raised in domestication under a permit.

3. Applications for permits shall be addressed to the Secretary of Agriculture, Washington, D. C., and must state the name and address of the applicant; the place where the propagating project is to be carried on; the area to be used in the project; the facilities the applicant has for properly caring for the waterfowl; the number of each species of waterfowl in his possession, and how, when, and where they were acquired; and, if the application is for a permit to take migratory waterfowl or their eggs, the species and number of each species or eggs of each species proposed to be taken, and the specific locality where it is proposed to take them.

Applications for permits

4. Every permittee shall keep books and records that shall correctly set forth the number of each species of waterfowl and their eggs taken by him, if he holds a permit to take waterfowl, the number of each species of waterfowl and their eggs possessed on the date of application for a permit to possess, sell, purchase, or transport such waterfowl, and on the 1st day of each September next following, and for each 12-month period thereafter during the life of the permit, the number of each species reared and killed, the number of each species and their eggs sold and transported, the manner in which such waterfowl and eggs were transported, the name and address of each person from or to whom waterfowl and eggs were purchased or sold, the number and species so purchased or otherwise acquired or sold and whether sold alive or dead, and the date of each transaction. A

Records and reports.

report correctly setting forth this information for the preceding 12-month period shall be filed annually with the Secretary on or before September 1.

Inspection require-
ments

5. A permittee shall at all reasonable hours allow any authorized employee of the United States Department of Agriculture to enter and inspect the premises where operations are being carried on under this regulation and to inspect the books and records relating thereto.

State permits.

6. No permit issued by the Secretary authorizes the taking, possession, sale, purchase, exchange, or transportation of migratory waterfowl unless the permittee has in his possession while exercising any such privilege a valid, subsisting permit of equivalent tenor issued to him by the State in which he proposes to operate. Permits are not transferable and are revocable at any time in the discretion of the Secretary. A permit revoked by the Secretary shall be surrendered to him by the person to whom it was issued on demand of any employee of the United States Department of Agriculture authorized to enforce the provisions of the Migratory Bird Treaty Act.

Limitations.

Exceptions.

7. A person may possess and transport, subject to the provisions of paragraph 8 of this regulation, for his own use, without a permit, live migratory waterfowl now lawfully possessed or hereafter lawfully acquired by him, but he may not purchase or sell such waterfowl without a permit. A State or municipal game farm or city park may possess, purchase, sell, and transport live migratory waterfowl without a permit, but no such waterfowl shall be purchased from or sold to a person (other than such State or municipal game farm or city park) unless he has a permit. Feathers of wild ducks and wild geese lawfully killed, and feathers of such birds seized and condemned by Federal or State game authorities, may be possessed, bought, sold, and transported for use in making fishing flies, bed pillows, and mattresses, and for similar commercial purposes, but not for millinery or ornamental purposes.

Marking of pack-
ages

8. Every package in which migratory waterfowl or parts or eggs thereof are transported by any means whatever from one State, Territory, or the District of Columbia to, into, or through another State, Territory, or the District of Columbia or to or from a foreign country shall be plainly and clearly marked or labeled on the outside thereof to show the name and address of the consignor and consignee, the contents of the package by number and kind, the number of the permit under authority of which it is transported, and the purpose for which the waterfowl or eggs are being transported. Every package in which migratory waterfowl or their eggs are shipped wholly within a State or Territory for propagating purposes shall be plainly and clearly marked or labeled on the outside thereof in the manner above prescribed.

49 Stat. 3462.

Regulation 9, "Permits to Collect Migratory Birds for Scientific Purposes", is amended to read as follows:

Permits for collect-
ing specimens.

REGULATION 9.—PERMITS TO COLLECT MIGRATORY BIRDS FOR
SCIENTIFIC PURPOSES

Scientific collec-
tions

A person in possession of a valid, subsisting permit issued to him by a State, on its part, authorizing him to take therein migratory birds or their nests or eggs for scientific purposes may take such birds or their nests or eggs in such State for such purposes when authorized by a permit issued to him by the Secretary. Both permits shall be carried on his person when he is collecting migratory birds thereunder and shall be exhibited to any person requesting to see them; but nothing herein shall be deemed to permit the taking of any migratory game bird during the open season therefor in any manner or by any

Requirements.

Restrictions.

means or at any time of day not permitted by regulations 3 and 4 of these regulations.

Application for a permit shall be addressed to the Secretary of Agriculture, Washington, D. C., and must state the name and address of the applicant, his age, the State or Territory in which specimens are proposed to be taken, the purpose for which they are intended, information sufficient to show that specimens permitted to be taken will be devoted to scientific purposes, and the names and addresses of at least two well-known ornithologists, principals or superintendents of educational or zoological institutions, officials or members of zoological or natural history organizations, or instructors in zoology in high schools, colleges, or universities, from whom may be obtained information respecting the applicant's status as a scientific investigator. The applicant must furnish such other information touching his fitness to be entrusted with a permit as may be called for by the Secretary.

Applications for permits.

A permit may limit the number and species of migratory birds or their nests or eggs that may be taken thereunder, and the places where, time when, and means by which they may be taken, and may authorize the holder thereof, when possessed of an equivalent State permit, to possess, buy, sell, exchange, and transport migratory birds and their nests and eggs for scientific purposes; or it may limit the holder to one or more of these privileges. Public museums, zoological parks and societies, and public scientific and educational institutions may possess, buy, sell, exchange, and transport migratory birds and their nests and eggs for scientific purposes, without a permit, but no specimens shall be taken without a permit or purchased from or exchanged with a person not authorized by a permit to sell or exchange them. The plumage and skins of migratory game birds legally taken may be possessed and transported by a person without a permit.

Effect of permits.

A taxidermist, when authorized by a permit issued by the Secretary, may possess any migratory bird delivered to him for mounting or like preparation by any person who has lawfully taken or lawfully possesses such bird, and may transport such specimen in consummation of such purpose when likewise authorized by the State in which such permittee is operating. Every such permittee shall keep books and records correctly setting forth the name and address of each person delivering each specimen of migratory bird to him, together with the name of each species, the date of delivery, the disposition of each specimen, and the date thereof, and such books and records shall be available for inspection at all reasonable hours on request of any authorized representative of the Department of Agriculture.

Taxidermists.

No permit issued by the Secretary authorizes the taking, possession, sale, purchase, exchange, or transportation of any migratory bird unless the permittee has in his possession while exercising any such privilege a valid, subsisting permit of equivalent tenor issued to him by the State in which he proposes to operate. Permits are not transferable and are revocable at any time in the discretion of the Secretary. A permit revoked by the Secretary shall be surrendered to him by the person to whom issued, on demand of any employee of the United States Department of Agriculture authorized to enforce the provisions of the Migratory Bird Treaty Act. A person holding a permit under this regulation shall report annually to the Secretary, on or before the 10th day of January, the number of birds or nests or eggs of each species taken, bought, sold, received, possessed, mounted, exchanged, or transported during the preceding 12 months, and failure to make such report will be cause for revocation of the permit.

Maintenance of books and records; inspection

State permits.

Every package in which migratory birds or their nests or eggs are transported by any means whatever for scientific purposes, from one State, Territory, or the District of Columbia, to, into, or through

Marking of packages.

another State, Territory, or the District of Columbia, or to or from a foreign country shall be plainly and clearly marked or labeled on the outside thereof to show the name and address of consignor and consignee, the contents of the package by number and kind, the number of the permit under authority of which it is transported, and that the specimens contained therein are for scientific purposes. Every package in which migratory birds or their nests or eggs are shipped wholly within a State or Territory, for scientific purposes, shall be plainly and clearly marked or labeled on the outside thereof in the manner above prescribed.

AND WHEREAS upon consideration it appears that approval of the foregoing amendatory regulations will tend to effectuate the purposes of the aforesaid Migratory Bird Treaty Act and result in reducing the annual kill of migratory game birds:

Amendatory regulations approved and proclaimed.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby approve and proclaim the foregoing amendatory regulations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 12 day of August, in the year of our Lord nineteen hundred and thirty-six, and of the [SEAL] Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President

WILLIAM PHILLIPS

Acting Secretary of State

FIRE PREVENTION WEEK—1936

September 2, 1936
[No 2195]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Fire Prevention
Week, 1936
Preamble.

WHEREAS the annual fire loss in the United States includes thousands of human lives taken and hundreds of millions of dollars of property values destroyed; and

WHEREAS this loss has been materially reduced by the preventive measures adopted during recent years; and

WHEREAS further improvement can be brought about by our common effort to eliminate fire hazards and to prevent destructive fires in the home, school, factory, and forest, and on the farm:

Week beginning Oc-
tober 4, 1936, desig-
nated as.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby proclaim and designate the week beginning October 4, 1936, as Fire Prevention Week, and I invite the cooperation of all of our people in the further elimination of existing fire hazards to the end that the loss of life, the destruction of property, and the suffering caused thereby may be still further reduced.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 2 day of September in the year of our Lord nineteen hundred and thirty-six, and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

GOLD STAR MOTHER'S DAY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

September 3, 1936
[No. 2196]

A PROCLAMATION

WHEREAS the preamble to Public Resolution 123, 74th Congress, approved June 23, 1936, recites:

"WHEREAS the service rendered the United States by the American mother is the greatest source of the country's strength and inspiration; and

"WHEREAS we honor ourselves and the mothers of America when we revere and give emphasis to the home as the fountain-head of the state; and

"WHEREAS the American mother is doing so much for the home and for the moral and spiritual uplift of the people of the United States and hence so much for good government and humanity; and

"WHEREAS the American Gold Star Mothers suffered the supreme sacrifice of motherhood in the loss of their sons and daughters in the World War;"

AND WHEREAS the said Public Resolution 123 provides:

"That the President of the United States is hereby authorized and requested to issue a proclamation calling upon the Government officials to display the United States flag on all Government buildings, and the people of the United States to display the flag and to hold appropriate meetings at their homes, churches, or other suitable places, on the last Sunday in September, as a public expression of the love, sorrow, and reverence of the people of the United States for the American Gold Star Mothers.

"Sec. 2. That the last Sunday in September shall hereafter be designated and known as 'Gold Star Mother's Day', and it shall be the duty of the President to request its observance as provided for in this resolution."

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid public resolution, do by this proclamation designate Sunday, September 27, 1936, as Gold Star Mother's Day and direct Government officials to display the United States flag on all Government buildings, and do call upon the people of the United States to display the flag and to hold appropriate meetings at their homes, churches, or other suitable places on that day as a public expression of the love, honor, and reverence of the people of the United States for the American Gold Star Mothers.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 3rd day of September, in the year of our Lord nineteen hundred and thirty-six, and [SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

Gold Star Mother's
Day
Preamble.
49 Stat 1895.
38 U S. C., Supp.
II, §§ 147, 148.
Statutory pro-
visions.

Sunday, September
27, 1936, designated as.

COLUMBUS DAY

September 22, 1936
[No. 2197]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Columbus Day,
1936
Preamble
48 Stat 657.
36 U. S. C. § 146.
Statutory pro-
visions.

WHEREAS Public Resolution 21, Seventy-third Congress, ap-
proved April 30, 1934, provides:

“That the President of the United States is authorized and
requested to issue a proclamation designating October 12 of each
year as Columbus Day and calling upon officials of the Govern-
ment to display the flag of the United States on all Government
buildings on said date and inviting the people of the United States
to observe the day in schools and churches, or other suitable
places, with appropriate ceremonies expressive of the public
sentiment befitting the anniversary of the discovery of America.”;

October 12, 1936,
designated as.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President
of the United States of America, under and by virtue of the authority
vested in me by the aforesaid public resolution, do by this proclama-
tion designate October 12, 1936, as Columbus Day and do direct that
on that day the flag of the United States be displayed on all Govern-
ment buildings; and, further, I do invite the people of the United
States to observe the day with appropriate ceremonies in schools and
churches, or other suitable places.

IN WITNESS WHEREOF, I have hereunto set my hand and
caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 22nd day of September, in
the year of our Lord nineteen hundred and thirty-six, and
[SEAL] of the Independence of the United States of America the
one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

GENERAL PULASKI MEMORIAL DAY

September 26, 1936
[No. 2198]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

General Pulaski
Memorial Day.
Preamble.

WHEREAS by the War for American Independence there was
established in this land a broader freedom than the world had ever
known before; and

WHEREAS it is fitting that we should hold ever in honor the heroes
of that War in order that the American youth of today may be better
prepared to preserve intact the liberties their forefathers won; and

WHEREAS one of the most valiant warriors in the American
struggle for independence was that heroic foe of tyranny and oppres-
sion, General Casimir Pulaski, who fell mortally wounded at the siege
of Savannah, while fighting for liberty, and died, on October 11, 1779;
and

WHEREAS Public Resolution 110, 74th Congress, approved June 20, 1936, provides:

49 Stat. 1565.

"That the President of the United States is authorized and directed to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental buildings on October 11, 1936, and inviting the people of the United States to observe the day in schools and churches or other suitable places, with appropriate ceremonies in commemoration of the death of General Casimir Pulaski."

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby invite the people of the United States to observe October 11, 1936, the one hundred and fifty-seventh anniversary of the glorious death of General Pulaski, as General Pulaski Memorial Day, with appropriate ceremonies in schools and churches or other suitable places, and do direct that the flag shall be displayed upon all Government buildings on that day, as a mark of respect to his memory.

Observance of anniversary of death invited.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 26th day of September, in the year of our Lord nineteen hundred and thirty-six, and [SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

AMERICAN EDUCATION WEEK

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

September 30, 1936
[No 2199]

A PROCLAMATION

An opportunity for all of our people to obtain the education that will best fit them for their life work and their responsibilities as citizens is the ideal of American education. It is an ideal which has been a vital factor in our national development since 1647 when the General Court of Massachusetts enacted the historic measure providing for an elementary school in every township of fifty householders and a grammar school in every town of one hundred families "to instruct youth so farr as they may be fited for y^e university". In the expansion of the nation the school has moved with the frontier, and time and experience have demonstrated that universal education is essential to national progress.

American Education Week.

It is accordingly with a feeling of earnest gratification that we note the improvement which has taken place with respect to the educational situation in the United States. Teaching positions which were eliminated during the depression years are being restored and teachers' salaries have returned to pre-depression levels in an encouraging number of school systems, colleges, and universities. There has been a steady increase in the attendance of students at elementary schools, high schools, and colleges.

It is particularly appropriate, therefore, that a time be set apart this year for a widespread and understanding observance of the benefits that flow from a continuing advancement of the standards of American education.

Week beginning
November 9, 1936,
designated as.

NOW, THEREFORE, I, Franklin Delano Roosevelt, President of the United States, do by this proclamation designate the week beginning Monday, November 9, 1936, as American Education Week and urge that it be observed throughout the United States.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this 30th day of September, in the year of our Lord nineteen hundred and thirty-six, and
[SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

CLOSED AREA UNDER THE MIGRATORY BIRD TREATY ACT—MONTANA

October 7, 1936

[No 2200]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the Acting Secretary of Agriculture has submitted to me for approval the following regulation adopted by him under authority of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755):

REGULATION DESIGNATING AS CLOSED AREA UNDER THE MIGRATORY BIRD TREATY ACT CERTAIN LANDS AND WATERS ADJACENT TO AND IN THE VICINITY OF THE RED ROCK LAKES MIGRATORY WATERFOWL REFUGE, MONTANA.

I, M. L. Wilson, Acting Secretary of Agriculture, after consideration of the exigencies of the migratory waterfowl and other migratory birds included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, resident upon and resorting to the Red Rock Lakes Migratory Waterfowl Refuge in Beaverhead County, Montana, established by Executive Order No. 7023 of April 22, 1935, and enlarged by Executive Order No. 7172 of September 4, 1935, have determined that to allow the hunting, taking, capturing, or killing of such migratory waterfowl or other migratory birds, or the attempt to hunt, take, capture, or kill such migratory waterfowl or other migratory birds, or the taking of their nests or eggs in or on any lands or waters in the said County embraced within the exterior boundary hereinafter described and designated "Area closed to hunting" on the diagram hereto attached and made a part of this regulation, which said lands and waters at the date hereof are adjacent to or in the vicinity of, but not incorporated in, the said Red Rock Lakes Migratory Waterfowl Refuge, would defeat the protection sought to be extended to such migratory waterfowl and other migratory birds by the establishment of the said refuge and, therefore, would be incompatible with the terms of the said Convention:

WHEREFORE, by virtue of authority vested in me by the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), and in extension of Regulation 4 of the Migratory Bird Treaty Act Regula-

Red Rock Lakes
Migratory Waterfowl
Refuge, Mont
Preamble
40 Stat 755
16 U S C §§ 703-
711

Regulation design-
ating certain areas
as sanctuaries
39 Stat 1702

Hunting, etc., for-
bidden.
40 Stat 755.
16 U. S. C. §§ 703-
711.

tions, the aforesaid lands and waters are designated as a closed area and the hunting, taking, capturing, or killing of such migratory waterfowl or other migratory birds, or the attempt to hunt, take, capture, or kill such migratory waterfowl or other migratory birds, or the taking of their nests or eggs therein or thereon is not permitted.

All lands and waters within the aforesaid boundaries withdrawn, set apart, and designated, in part, as the Red Rock Lakes Migratory Waterfowl Refuge by the aforesaid Executive Orders are closed by virtue of said Orders, and the Acts of Congress thereunto appertaining, to entry for any purpose except in accordance with regulations of the Secretary of Agriculture, and all hunting either of migratory or non-migratory birds or wild life of any kind on said lands and waters is forbidden by law.

DESCRIPTION OF THE BOUNDARY ABOVE REFERRED TO
PRINCIPAL MERIDIAN

Description

Beginning at the northwest corner of sec. 35, T. 13 S., R. 2 W.,
Thence from said initial point,
Easterly on line line¹ between secs. 26 and 35, and secs. 25 and 36 to the east boundary of T. 13 S., R. 2 W.;
Thence on section lines in T. 13 S., R. 1 W.,
Easterly between secs. 30 and 31;
Southerly between secs. 31 and 32 to the south boundary of T. 13 S., R. 1 W.;
Thence easterly on said boundary to the one-quarter corner of secs. 32 and 5;
Thence on subdivision lines of sec. 5, T. 14 S., R. 1 W.,
Southerly to the center one-quarter corner;
Easterly to the one-quarter corner of secs. 4 and 5;
Thence northerly on line between secs. 4 and 5 to the north one-sixteenth corner of secs. 4 and 5;
Thence on subdivisional lines in sec. 4,
Easterly on south boundary of lots 4, 3, and 2;
Northerly between lots 1 and 2 to the east one-sixteenth corner of sec. 4 on the north boundary of T. 14 S., R. 1 W.;
Thence westerly on said boundary line to the southwest corner of sec. 33, T. 13 S., R. 1 W.;
Thence in T. 13 S., R. 1 W., northerly on line between secs. 32 and 33, and secs. 28 and 29, to the one-quarter corner thereof;
Thence on subdivisional lines in sec. 28,
Easterly to the center one-quarter corner;
Southerly to the one-quarter corner of secs. 28 and 33;
Thence on section lines,
Easterly between secs. 28 and 33;
Northerly between secs. 27 and 28 to the south one-sixteenth corner thereof;
Thence on subdivisional lines in sec. 27,
Easterly to the southwest one-sixteenth corner;
Southerly to the west one-sixteenth corner of secs. 27 and 34;
Thence easterly on lines between secs. 27 and 34, 26 and 35, and secs. 25 and 36 to the east boundary of T. 13 S., R. 1 W.;
Thence southerly on the east boundary of Tps. 13 and 14 S., R. 1 W. to the north one-sixteenth corner of secs. 7 and 12, T. 14 S., Rs. 1 W. and 1 E.;
Thence on subdivisional lines in sec. 12, T. 14 S., R. 1 W.,
Westerly to the northeast one-sixteenth corner;
Southerly to the southeast one-sixteenth corner;
Easterly to the east boundary of T. 14 S., R. 1 W.;

¹ So in original.

Thence southerly on east boundary of T. 14 S., R. 1 W., to the north one-sixteenth corner of secs. 13 and 18;

Thence on subdivisional lines in sec. 18, T. 14 S., R. 1 E.,

Easterly to the north center one-sixteenth corner;

Northerly to the one-quarter corner of secs. 7 and 18;

Thence on section lines,

Easterly between secs. 7 and 18;

Southerly between secs. 17 and 18 to the one-quarter corner thereof;

Thence westerly on center line through sec. 18 to the west boundary of T. 14 S., R. 1 E.;

Thence on subdivisional lines in sec. 13 T. 14 S., R. 1 W.,

Westerly to the west center one-sixteenth corner;

Southerly to the southwest one-sixteenth corner;

Easterly to the southeast one-sixteenth corner;

Southerly to the east one-sixteenth corner of secs. 13 and 24;

Thence easterly on line between secs. 13 and 24 to the east boundary of T. 14 S., R. 1 W.;

Thence southerly on east boundary of T. 14 S., R. 1 W., to the south one-sixteenth corner of secs. 25 and 30;

Thence on subdivisional lines in sec. 25 T. 14 S., R. 1 W.,

Westerly to the southeast one-sixteenth corner;

Northerly to the east center one-sixteenth corner;

Westerly to the one-quarter corner of secs. 25 and 26;

Thence on subdivisional lines in sec. 26,

Westerly to the east center one-sixteenth corner;

Northerly to the east one-sixteenth corner of secs. 23 and 26;

Thence on subdivisional lines in sec. 23,

Northerly to the southeast one-sixteenth corner;

Westerly to the south center one-sixteenth corner;

Northerly to the north center one-sixteenth corner;

Westerly to the meander corner of Lots 1 and 2, on the easterly shore of Upper Red Rock Lake, and continuing southwesterly with the meanders thereof to the meander corner of secs. 22 and 23;

Thence southerly on line between secs. 22 and 23 to the south one-sixteenth corner thereof;

Thence on subdivisional lines in sec. 23,

Easterly to the southwest one-sixteenth corner;

Southerly to the west one-sixteenth corner of secs. 23 and 26;

Thence on subdivisional lines in sec. 26,

Southerly to the northwest one-sixteenth corner;

Westerly to the north one-sixteenth corner of secs. 26 and 27;

Thence on subdivisional lines in sec. 27,

Westerly to the north center one-sixteenth corner;

Northerly to the one-quarter corner of secs. 22 and 27;

Thence on section lines,

Westerly between secs. 22 and 27;

Southerly between secs. 27 and 28 to the north one-sixteenth corner thereof;

Thence westerly on subdivisional line through sec. 28 to the north one-sixteenth corner of secs. 28 and 29;

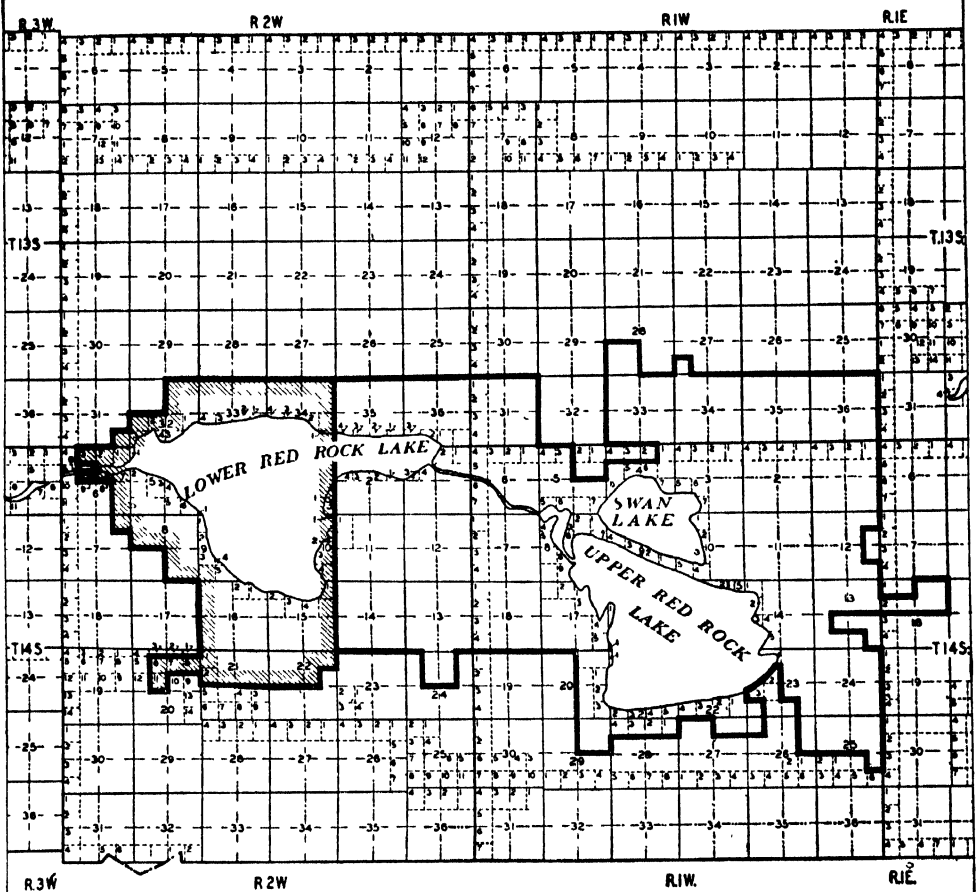
Thence southerly on line between secs. 28 and 29 to the east one-quarter corner of sec. 29;

Thence on subdivisional lines in sec. 29,



Westerly to the center one-quarter corner;

Northerly to the one-quarter corner of secs. 20 and 29;

Thence northerly on subdivisional line through sec. 20 to the one-quarter corner of secs. 17 and 20;



COMPILED AT WASHINGTON, D C AUGUST 1936, IN THE
DIVISION OF LAND ACQUISITION, RUDOLPH DIEFFENBACH,
CHIEF, UNDER DIRECTION OF A. RIEMER, CHIEF, SECTION
OF SURVEYS & MAPS, FROM SURVEYS & MAPS BY UNITED
STATES GENERAL LAND OFFICE & THE BIOLOGICAL SURVEY

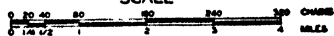
LEGEND
 PUBLIC SHOOTING GROUND
 AREA CLOSED TO HUNTING

UNITED STATES DEPARTMENT OF AGRICULTURE
BUREAU OF BIOLOGICAL SURVEY
IRA N. GABRIELSON, CHIEF

RED ROCK LAKES MIGRATORY WATERFOWL REFUGE BEAVERHEAD COUNTY MONTANA

1936

SCALE



MAP REFERRED TO IN PROCLAMATION ORDER NO. 2200 DATED, OCTOBER 7 1936

Thence westerly on line between secs. 17 and 20, and secs. 18 and 19 to the west boundary of T. 14 S., R. 1 W.;

Thence westerly between secs. 13 and 24, T. 14 S., R. 2 W., to the east one-sixteenth corner thereof;

Thence on subdivisional lines in sec. 24,

Southerly to the east center one-sixteenth corner;

Westerly to the west center one-sixteenth corner;

Northerly to the west one-sixteenth corner of secs. 13 and 24;

Thence on section lines,

Westerly between secs. 13 and 24, and secs. 14 and 23;

Northerly between secs. 14 and 15, 10 and 11, and secs. 2 and 3 to the meander corner thereof, located on the southeast bank of Lower Red Rock Lake;

Thence northerly across Lower Red Rock Lake, passing into T. 13 S., R. 2 W., to the meander corner of secs. 34 and 35, located on the north bank of said lake;

Thence northerly on line between secs. 34 and 35 to place of beginning.

AND WHEREAS upon consideration it appears that approval of the foregoing regulation will tend to effectuate the purposes of the aforesaid Convention and the Migratory Bird Treaty Act of July 3, 1918:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid Migratory Bird Treaty Act of July 3, 1918, do hereby approve and proclaim the foregoing regulation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this Seventh day of October, in the year of our Lord nineteen hundred and thirty-six,
[SEAL] and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D. ROOSEVELT

By the President:

WILBUR J. CARR

Acting Secretary of State.

Regulation
proved and
claimed. a p-
pro-

OUACHITA NATIONAL FOREST—ARKANSAS AND OKLAHOMA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

October 12, 1936
[No. 2201]

A PROCLAMATION

WHEREAS certain lands within areas adjoining the Ouachita National Forest, in Arkansas and Oklahoma, have been acquired by the United States under authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

WHEREAS it appears that it would be in the public interest to add such lands and certain adjoining public lands within the areas hereinafter designated to the said National Forest:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), the act of June 4, 1897, ch. 2, 30 Stat. 11, 34, 36 (U. S. C., title 16, sec. 473), and section 11 of the said act of March 1, 1911, do proclaim that all

Ouachita National
Forest, Ark. and Okla.
Preamble
36 Stat. 962.
16 U. S. C. §§ 515,
516

Area enlarged.

26 Stat. 1103; 30
Stat. 36, 36 Stat. 963.
16 U. S. C. §§ 471, 473.
16 U. S. C. § 521.

lands of the United States within the following-described areas are included in and reserved as a part of the Ouachita National Forest, and that all lands within such areas which may hereafter be acquired by the United States under the said act of March 1, 1911, as amended, shall upon acquisition of title thereto be reserved and administered as a part of the said National Forest:

Description

FIFTH PRINCIPAL MERIDIAN—ARKANSAS

- T. 1 S., R. 17 W., secs. 2 to 11, inclusive, and
secs. 14 to 23, inclusive.
- T. 1 N., R. 17 W., secs. 2 to 11, inclusive;
secs. 14 to 23, inclusive, and
secs. 26 to 35, inclusive.
- T. 2 N., R. 17 W., secs. 26 to 29, inclusive, and
secs. 32 to 35, inclusive.
- T. 1 S., R. 18 W., secs. 1 to 24, inclusive;
secs. 27 to 32, inclusive, and
N½ sec. 33.
- T. 1 N., R. 18 W., Entire
- T. 2 S., R. 19 W., secs. 1 to 12, inclusive;
secs. 16 to 18, inclusive, and
W½ sec. 19.
- T. 1 S., R. 19 W., Entire
- T. 1 N., R. 19 W., All except parts hitherto placed under national
forest administration.
- T. 2 S., R. 20 W., secs. 1, 2, 5, 6;
secs. 10 to 15, inclusive, and
secs. 23 and 24.
- T. 1 S., R. 20 W., Entire
- T. 1 N., R. 20 W., All except parts hitherto placed under national
forest administration.
- T. 4 S., R. 23 W., SW¼ sec. 7, and N½ and W½ of SW¼ sec. 18.
- T. 3 S., R. 23 W., All except parts hitherto placed under national
forest administration.
- T. 2 S., R. 23 W., All except parts hitherto placed under national
forest administration.
- T. 1 S., R. 23 W., All except parts hitherto placed under national
forest administration.
- T. 1 N., R. 23 W., All except parts hitherto placed under national
forest administration.
- T. 4 S., R. 24 W., secs. 1 to 18, inclusive;
N½ secs. 19 to 23, inclusive; sec. 24, and E½,
N½ NW¼, SE¼ NW¼, NE¼ SW¼ sec. 25.
- T. 3 S., R. 24 W., All except parts hitherto placed under national
forest administration.
- T. 2 S., R. 24 W., All except parts hitherto placed under national
forest administration.
- T. 1 S., R. 24 W., All except parts hitherto placed under national
forest administration.
- T. 1 N., R. 24 W., All except parts hitherto placed under national
forest administration.
- T. 4 S., R. 25 W., secs. 1 to 6, inclusive;
secs. 8 to 17, inclusive;
secs. 20 to 24, inclusive;
secs. 26 to 30, inclusive;
- T. 4 S., R. 25 W., N½ and SE¼ sec. 7, and W½SW¼ sec. 19.
- T. 3 S., R. 25 W., secs. 31 to 36, inclusive.
- T. 2 S., R. 25 W., Entire township except parts hitherto placed
under national forest administration.

- T. 1 S., R. 25 W., All except parts hitherto placed under national forest administration.
- T. 4 S., R. 26 W., All except parts hitherto placed under national forest administration.
- T. 2 S., R. 26 W., All except parts hitherto placed under national forest administration.
- T. 1 S., R. 26 W., All except parts hitherto placed under national forest administration.
- T. 2 S., R. 27 W., All except parts hitherto placed under national forest administration.
- T. 1 S., R. 27 W., All except parts hitherto placed under national forest administration.
- T. 4 S., R. 29 W., $S\frac{1}{2}$ secs. 19 and 20, and secs. 27 to 30, inclusive.
- T. 4 S., R. 30 W., $S\frac{1}{2}$ secs. 23, 24, 27 and 28, and secs. 25 and 26.
- T. 2 N., R. 30 W., secs. 5 to 10, inclusive, and secs. 15 to 18, inclusive.
- T. 3 N., R. 30 W., $N\frac{1}{2}$ secs. 1 to 6, inclusive; $S\frac{1}{2}$ secs. 16, 17 and 18, and secs. 19, 20, 21, 29, 30, 31 and 32.
- T. 4 N., R. 30 W., secs. 18 to 28, inclusive; secs. 33 to 36, inclusive, and $SE\frac{1}{4}$ sec. 32.
- T. 4 S., R. 31 W., secs. 3, 4, 9, 10, 11, 14, 15, 16; $SE\frac{1}{4}$ and $W\frac{1}{2}$ sec. 2, and $N\frac{1}{2}$ secs. 21, 22 and 23, and $NW\frac{1}{4}$ sec. 24.
- T. 3 S., R. 31 W., secs. 3, 4, 9, 10, 16, 21, 27, 28, 33 and 34;
 $W\frac{1}{2}$ sec. 15;
 $W\frac{1}{2}$ and $SE\frac{1}{4}$ sec. 22;
 $W\frac{1}{2}$ secs. 26 and 35.
- T. 2 S., R. 31 W., $S\frac{1}{2}$ secs. 33 and 34, and $SW\frac{1}{4}$ sec. 35.
- T. 1 N., R. 31 W., sec. 6, and $N\frac{1}{2}$ sec. 7.
- T. 2 N., R. 31 W., secs. 1, 2, 3;
secs. 8 to 19, inclusive, and secs. 30 and 31.
- T. 3 N., R. 31 W., All except parts hitherto placed under national forest administration.
- T. 4 N., R. 31 W., secs. 13, 14;
secs. 19 to 24, inclusive;
secs. 29 to 30, and $S\frac{1}{2}$ sec. 15.
- T. 1 N., R. 32 W., secs. 1 to 12, inclusive.
- T. 2 N., R. 32 W., All except parts hitherto placed under national forest administration.
- T. 3 N., R. 32 W., All except parts hitherto placed under national forest administration.
- T. 4 N., R. 32 W., secs. 25, 26, 27, 28, 31, 32 and 33;
 $N\frac{1}{2}$ and $SW\frac{1}{4}$ sec. 34, and $NW\frac{1}{4}$ sec. 35.
- T. 1 N., R. 33 W., fractional secs. 1 and 12.
- T. 2 N., R. 33 W., fractional secs. 1 and 36.
- T. 3 N., R. 33 W., fractional sec. 1;
 $N\frac{1}{2}$ fractional sec. 12;
 $S\frac{1}{2}$ fractional sec. 13;
fractional secs. 24, 25, and 36.
- T. 4 N., R. 33 W., fractional sec. 36.

The reservation made by this proclamation shall as to all lands which are at this date legally appropriated under the public-land laws or reserved for any public purpose other than for classification under Executive Order No. 6964 of February 5, 1935, as amended, be subject to, and shall not interfere with or defeat, legal rights under such appropriation, nor prevent the use for such public purpose of lands so reserved, so long as such appropriation is legally maintained or such reservation remains in force.

Rights, etc., not affected.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 12th day of October, in the year of our Lord nineteen hundred and thirty-six and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

ANGELINA NATIONAL FOREST—TEXAS

October 13, 1936

[No. 2202]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Angelina National
Forest, Tex.
Preamble.
36 Stat 962
16 U. S. C. §§ 515,
516.

WHEREAS certain forest lands within the State of Texas have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, sections 515, 516); and

WHEREAS it appears that it would be in the public interest to reserve and designate such lands as the Angelina National Forest:

Reserving, etc., des-
ignated lands for na-
tional forest
26 Stat 1103
16 U. S. C. § 471.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, section 471), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, section 521), do proclaim that there are hereby reserved and set apart as the Angelina National Forest all lands of the United States within the following-described area, and that all lands therein which may hereafter be acquired by the United States under authority of the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Angelina National Forest:

Description.

Beginning at a point on the right bank of Ayish Bayou and opposite the point of confluence with the Angelina River; thence up and with the meanders of the right bank of Ayish Bayou, northerly 3157.00 chains to the fourth corner of the Wm. White Survey, Abstract 308; thence with the north line of the Wm. White Survey, S 89°30' W 82.50 chains to corner 19 of Tract A2k-I, property of the United States; thence with three (3) lines of said tract, North 21.30 chains, West 9.80 chains, North 20.10 chains to Monument-A177; thence S 89°45' W 27.90 chains to a point on the south line of the John H. Kirby Survey No. 2, Abstract No. 567; thence through the said John H. Kirby Survey No. 2, N 0°55' W 58.80 chains to corner 32 of Tract A2i-III, property of the United States; thence with six (6) lines of said tract, N 0°55' W 144.00 chains, S 89°15' W 39.30 chains, N 0°50' W 36.30 chains, S 89°10' W 167.50 chains, S 1°00' E 70.70 chains, N 65°00' W 45.00 chains to corner 26 of said tract; thence with Tracts A2i-III and A2i-VI, southwesterly 103.10 chains to corner 21 of Tract A2i-III; thence three (3) lines of the Morgan Berry Survey, Abstract No. 59, passing corners 20 and 3 of Tract A2i-III to corner 2 of said tract; thence with Tract A2i-III, S 53°35' W 202.30 chains to corner 1 of said tract; thence with the north-west line of the John Johnson Survey, Abstract No. 170, southwesterly 228.00 chains to a point on the left bank of the Attoyaco

River; thence crossing the river and running northerly up and with the right bank 591.00 chains to a point opposite and easterly of the beginning corner of the Remigio Totin Survey, Abstract No. 56; thence with the south line of the Remigio Totin Survey, westerly 139.00 chains to Monument-A224, identical with corner 1 of Tract A3-III, property of the United States; thence with two (2) lines of said tract, N 2°00' E 53.14 chains, westerly 291.50 chains passing Monument-A466 to a point in the west line of said survey identical with Monument-A430; thence S 1°50' W 22.71 chains to corner 23 of said tract, identical with the seventh corner of the Abraham Kuykendall Survey, Abstract No. 37; thence with three (3) lines of said Abraham Kuykendall Survey, S 89°05' W 93.37 chains, S 27°10' W 160.08 chains, S 22°10' E 162.18 chains to the beginning corner thereof in Durazno Bayou and identical with Monument-A446; thence down and with said Bayou to the confluence with the Angelina River; thence down and with the left bank of Angelina River 665.00 chains to a point opposite and northeasterly of the beginning corner of the Willafred Stanley Survey, Abstract No. 48; thence crossing the Angelina River and with the southeast line of the Willafred Stanley Survey southwesterly 434.00 chains to the second corner of said survey; thence with the southwest line of said survey and passing corners 19 and 18 of Tract A2-I, property of the United States, northwesterly 105.00 chains to the third corner of said Willafred Stanley survey; thence with the northwest line of said survey and passing corners 2 and 1 of Tract A2e, property of the United States, northeasterly 65.50 chains to a point south of the sixth corner of the Nicholas White Survey, Abstract No. 655; thence within said Nicholas White Survey north 19.50 chains to the sixth corner of said survey; thence two (2) lines of the J. T. P. Irvine Survey, Abstract No. 368, S 89°10' W 57.56 chains, N 0°50' W 8.42 chains to a point in the west line of said survey; thence with two (2) lines within the Cyrus Ivy Survey, Abstract No. 367, S 89°10' W 15.80 chains, N 76°10' W 17.50 chains to corner 6 of Tract A2-I, property of the United States; thence with ten (10) lines of said Tract A2-I, S 89°15' W 51.02 chains, South 10.37 chains, West 15.32 chains, South 25.97 chains, S 89°45' W 79.00 chains, S 1°20' E 51.75 chains, West 15.64 chains, S 1°25' E 170.60 chains, N 89°10' E 24.29 chains, S 1°00' E 39.95 chains to corner 41 thereof; thence with said Tract A2-I, N. 89°25' E about 47.00 chains, crossing the Texas and New Orleans Railroad right-of-way to a point in the northeast line thereof; thence with said right-of-way line, southeasterly 80.00 chains to the west line of the Daniel McGraw Survey, Abstract No. 448; thence southerly 15.00 chains to the third corner of said survey; thence with the south line of said survey easterly 20.00 chains to the fifth corner of the Aminta Shields Survey, Abstract No. 556; thence with the west line of said survey southeasterly 54.00 chains to the fourth corner thereof and on the north line of the Martin L. Baker Survey, Abstract No. 740; thence with the north line of said survey westerly 34.50 chains to the fourth corner thereof; thence with four (4) lines of the Martin L. Baker Survey southerly 34.43 chains, easterly 11.20 chains, southeasterly 56.57 chains, easterly 38.39 chains, to the eighth corner thereof in the north line of the William¹ Johnson Survey, Abstract No. 371; thence with three (3) lines of said Williams¹ Johnson Survey easterly 9.00 chains, southerly 47.00 chains, westerly 1.68 chains to the third corner of the Stephen J. Stanley Survey, Abstract No. 47; thence with the east line of said Stephen J. Stanley Survey south-

¹ So in original.

erly 282.00 chains to the second corner thereof; thence westerly with the south line of said survey to the center of Shawnee Creek; thence southerly down and with Shawnee Creek to the point of confluence with the Neches River; thence easterly down with the left bank of the Neches River 2000.00 chains to the eighth corner of the Wm. B. Green Survey, Abstract No. 155; thence with five (5) lines of said survey easterly 131.15 chains, southerly 62.71 chains, easterly 42.34 chains, northerly 64.06 chains, easterly 111.29 chains to a point on the right bank of the Angelina River; thence up and with the right bank of the Angelina River 1050.00 chains to a point opposite and southerly of the point of beginning; thence northerly crossing the Angelina River 2.00 chains to the point of beginning.

The area described above is graphically shown on the diagram attached hereto and made a part hereof.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington, this 13th day of October, in the year of our Lord nineteen hundred and thirty-six and of [SEAL] the Independence of the United States of America the one hundred and sixty-first

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

DAVY CROCKETT NATIONAL FOREST—TEXAS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

October 13, 1936
[No 2203]

Davy Crockett National Forest, Tex
Preamble
Statutory authorization.
36 Stat 962
16 U. S. C §§ 515, 516

WHEREAS certain forest lands within the State of Texas have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

WHEREAS it appears that it would be in the public interest to reserve and designate such lands as the Davy Crockett National Forest:

Reserving, etc., designated lands for national forest.

26 Stat 1103
16 U. S. C § 471.
36 Stat 963
16 U. S. C § 521

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, sec. 521), do proclaim that there are hereby reserved and set apart as the Davy Crockett National Forest all lands of the United States within the following-described area, and that all lands therein which may hereafter be acquired by the United States under authority of the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Davy Crockett National Forest:

Description.

Beginning in Trinity County and on the right bank of the Neches River at a point identical with the beginning corner of Tract K2a-I as surveyed by the U. S. Forest Service; thence with said tract, West 23.80 chains to a point north of the beginning corner of Tract K2u, property of the United States; thence crossing the James A. Lee survey, Abstract No. 389, South 57.70 chains to the beginning corner of Tract K2u; thence with three (3)

lines of said tract, South 45.00 chains, S. 88°30' W. 23.20 chains, N. 1°30' W 45.50 chains to corner 4 thereof; thence with two (2) lines of the Abraham Anding survey, Abstract No. 54, West 56.00 chains to the northwest corner thereof, South 25.70 chains to the northeast corner of the B. B. B. & C. R. R. Co. survey, Abstract No. 101; thence with two (2) lines of said B. B. B. & C. R. R. Co. survey, West 80.00 chains to the northwest corner thereof, South 80.00 chains to the southwest corner thereof and on the east line of the M. D. White survey, Abstract No. 661; thence with three (3) lines of said M. D. White survey, South 67.55 chains to the southeast corner thereof, West 47.35 chains to the southwest corner thereof, North 13.75 chains to the southeast corner of the John D. Windham survey, Abstract No. 653; thence along the south boundaries of the following named surveys: John D. Windham, *supra*, Jesse James, Abstract No. 364; Jesse James, Abstract No. 366; Thomas Trevathan, Abstract No. 596; and John Conklin, Abstract No. 140, westerly 240 chains to the northwest corner of the Thomas Trevathan survey, Abstract No. 598, on an east line of the J. Poitevent survey, Abstract No. 507; thence with four (4) lines of the said J. Poitevent survey, South 40.00 chains to the ninth corner of said survey, East 10.70 chains, South 48.50 chains, West 26.30 chains to the sixth corner of said survey, identical with the northeast corner of the J. Poitevent survey, Abstract No. 508; thence with two (2) lines of the said J. Poitevent survey, West 83.00 chains to the northwest corner of said survey, South 77.00 chains to the southwest corner thereof and on the east line of the J. Poitevent survey, Abstract No. 509; thence with the east line of said J. Poitevent survey, South 17.50 chains to the southeast corner of said survey, identical with the sixth corner of the B. G. O'Neal survey, Abstract No. 940; thence continuing and crossing the said B. G. O'Neal survey, South 10.00 chains to a point on a south line of said B. G. O'Neal survey, between the eighth and ninth corners thereof; thence with four (4) lines of said survey, East 13.40 chains, South 42.10 chains, East 1.20 chains, South 40.00 chains to the twelfth corner of said survey on the north line of the Juan Carmona survey, Abstract No. 6; thence with two (2) lines of said Juan Carmona survey, westerly 26.00 chains, to the northwest corner thereof, southerly 83.00 chains to the sixth corner of the M. S. Hoffman survey, Abstract No. 260; thence with three (3) lines of the M. S. Hoffman survey, West 91.34 chains, North 57.75 chains, West 44.20 chains to the northwest corner thereof and on the east line of the Heirs of George Wilson survey, Abstract No. 631; thence with two (2) lines of said survey, northerly 15.00 chains to the northeast corner thereof, westerly 43.00 chains to the east line of the Bryant S. Mangum survey, Abstract No. 428; thence with two (2) lines of the Bryant S. Mangum survey, southerly 8.00 chains to the southeast corner thereof and identical with Monument-K399, S 89°30' W 41.50 chains to the southwest corner thereof and identical with the third corner of the Richard Gregory survey, Abstract No. 233; thence with two (2) lines of the Richard Gregory survey, North 40.40 chains to the second corner thereof, West 70.90 chains to the beginning corner thereof and identical with the fourth corner of the Solomon Adams survey, Abstract No. 64; thence with four (4) lines of the Solomon Adams survey, South 82.20 chains to corner 3 of Tract K2f, property of the United States, East 29.70 chains to corner 4 of said tract, S 0°30' W 20.20 chains to corner 5, West 38.30 chains to corner 6 of said Tract K2f, identical with the eighth corner of said Solomon Adams survey and on the southeast line of the Ignacio de los Santos Coy

survey, Abstract No. 13; thence with said survey S 30°00' W 147.00 chains to State Highway No. 106; thence with said highway N. 67°30' W 60.00 chains to Tract K2c, property of the United States and at a point between corners 12 and 13 thereof; thence with three (3) lines of said Tract K2c, passing corners 13 and 14 thereof, to State Highway No. 106; thence with said highway, N. 67°30' W 98.00 chains to said Tract K2c, at a point between corners 27 and 28 thereof; thence with ten (10) lines of Tract K2c, passing corners 28 to 36 inclusive, to corner 37 which is identical with Monument-K455; thence with two (2) lines within the Maria Guadalupe de Castro survey, Abstract No. 9, N. 49°45' W 48.00 chains to corner 4 of tract K2d, property of the United States, N. 60°00' W 108.00 chains to a point in line of tract K2-III, property of the United States and at a point between corners 44 and 45 thereof; thence with twenty (20) lines of said tract K2-III, passing corners 45 to 62 inclusive, 428.10 chains to corner 63 of said tract; thence N. 29°30' E 64.00 chains to corner 66 of Tract K2-III, thence with two (2) lines of Tract K2-III, passing corner 67, 118.80 chains to corner 68 and identical with the southeast corner of the R. Miller survey, Abstract No. 414; thence with two (2) lines of said R. Miller survey, N. 60°00' W 61.54 chains, N. 10°00' E 12.33 chains to the eighth corner thereof and on the southwest line of the A. E. Westall survey, Abstract No. 48; thence with the southwest line of said A. E. Westall survey, N. 79°15' W 142.00 chains to the beginning corner of said survey, identical with corner 84 of Tract K2-III; thence with the northwest line of the A. E. Westall survey, northeasterly 275.00 chains to corner 92 of Tract K2-III; thence with five (5) lines of Tract K2-III, passing corners 93 to 96 inclusive, 155 10 chains to corner 97 on the northwest line of the John D. Stepp survey, Abstract No. 567; thence with two (2) lines of the said John D. Stepp survey, N. 10°00' E 21.50 chains, S. 80°00' E 40.00 chains to the third corner thereof and on the northwest line of the N. E. Morris survey, Abstract No. 431; thence with three (3) lines of the N. E. Morris survey, N. 10°00' E 25.00 chains, S. 80°00' E 40.00 chains, S. 10°00' W 9 chains to the sixth corner of the John D. Stepp survey; thence with a north line of said John D. Stepp survey and the Christopher Fox survey, Abstract No. 215, southeasterly 21.00 chains to corner 102 of Tract K2-III; thence with four (4) lines of Tract K2-III, passing corners 103, 104 and 105 to corner 106 on the south line of the James Perry survey, Abstract No. 487; thence S. 81°30' E 10.00 chains to the third corner of the James Perry survey; thence along the east line of the said survey northerly 46.30 chains to the fourth corner thereof; thence with two (2) lines of the W. W. Davis survey, Abstract No. 182, North 45.10 chains, N. 80°00' W 32.20 chains to the fourth corner thereof; thence northwesterly 2.00 chains to corner 58 of Tract K2b, property of the United States; thence with four (4) lines of Tract K2b, passing corners 59, 60, and 61, 61.70 chains to corner 62 of Tract K2b on the southwest line of the W. J. Ward survey, Abstract No. 676; thence with the southwest and northwest lines of said W. J. Ward survey 58.00 chains to corner 65 of Tract K2b; thence N. 10°15' E 40.00 chains to corner 7 of Tract K1-V, property of the United States; thence with four (4) lines of Tract K1-V, passing corners 8, 9, and 10 to corner 11 thereof and on the south line of the Mary Henderson survey, Abstract No. 496; thence with two (2) lines of said Mary Henderson survey West 45.80 chains to the southwest corner thereof, North 48.00 chains to the beginning corner of the Henry Harris survey, Abstract No. 1205; thence with the northwest line of

said Henry Harris survey S. $80^{\circ}00'$ W 69.40 chains to the second corner of the T. J. Routon survey, Abstract No. 1346; thence with the southwest and northwest lines of said T. J. Routon survey 45.30 chains to the fifth corner thereof and on the southeast line of the Jacob Perkins survey, Abstract No. 850; thence S. $80^{\circ}00'$ W 71.70 chains along the southeast lines of the Jacob Perkins and Amanda Johnson surveys to the second corner of the Amanda Johnson survey, Abstract No. 646, and on the northeast line of the Enoch Broxon survey, Abstract No. 218; thence with three (3) lines of said Enoch Broxon survey S $10^{\circ}00'$ E 8.40 chains, West 37.80 chains, North 9.30 chains to a point on the west line of said survey identical with the southeast corner of the Mary Ann Denson survey, Abstract No. 337; thence west with the south line of said Mary Ann Denson survey to the beginning corner thereof and on the east line of the Caroline E. Milon survey, Abstract No. 716; thence with the said east line of the Caroline E. Milon survey north 69.70 chains to corner 18 of Tract K1-II, property of the United States; thence with Tract K1-II passing corners 19 to 22 inclusive 242.70 chains to corner 23 of said tract which is identical with corner 13 of Tract K1-I; thence with Tract K1-I S $0^{\circ}30'$ E 86.70 chains to the beginning corner thereof and identical with the third corner of the M. D. T. Hallmark survey, Abstract No. 497; thence with two (2) lines of the M. D. T. Hallmark survey south 56.80 chains, N. $80^{\circ}00'$ W 43.80 chains to corner 1 thereof identical with the fifth corner of the Edward Tyler survey, Abstract No. 1019; thence with two (2) lines of the Edward Tyler survey S $65^{\circ}00'$ W 153.90 chains, S $0^{\circ}15'$ E 94.80 chains to corner 2 of Tract K1c; thence with sixteen (16) lines of said Tract K1c passing corners 3 to 17 inclusive 517.90 chains to a point south of corner 20; thence north 36.70 chains to corner 20 of Tract K1c; thence with two (2) lines of Tract K1c passing in line corner 21, 275.20 chains to corner 22 on the south line of the John Satterwhite survey, Abstract No. 978; thence with two (2) lines of the John Satterwhite survey east 6.00 chains, N. $65^{\circ}30'$ E 32.00 chains passing in line corner 3 of Tract K1d to the beginning corner of said survey; thence along the south lines of the J. B. Hallmark survey, Abstract No. 493, and the Preston Pevehouse survey, Abstract No. 849, passing corners 4, 6, and 7 of Tract K1d, northeasterly 94.50 chains to the beginning corner of the Preston Pevehouse survey; thence along the east line of the Preston Pevehouse survey, passing corner 6 of Tract K1-I, northerly 37.40 chains to corner 7 thereof; thence with five (5) lines of Tract K1-I passing corners 8 to 11 inclusive, 125.40 chains to corner 12 identical with corner 24 of Tract K1-II; thence eleven (11) lines with Tract K1-II and Tract K1-X, passing corners 25 to 32 inclusive of Tract K1-II and corners 1 and 2 of Tract K1-X and corner 34 of Tract K1-II, 319.80 chains to corner 35 of said Tract K1-II on a northeast line of the George W. Hallmark survey, Abstract No. 41; thence with two (2) lines of the George W. Hallmark survey N. $25^{\circ}00'$ W 110.60 chains, northeasterly 5.00 chains to corner 47 of Tract K1-II; thence with six (6) lines of said Tract K1-II, passing corners 48 to 52 inclusive, 162.70 chains to corner 53 of said tract and on the east line of the Levi Speer survey, Abstract No. 926; thence with the Levi Speer survey North 50.90 chains to the northeast corner thereof, identical with the eighth corner of the Burnell Johnson survey, Abstract No. 650; thence with six (6) lines of the Burnell Johnson survey, passing the seventh, sixth, fifth, fourth, and third corners to the second corner thereof identical with corner 54 of Tract K1-III; thence along the west lines

of the William E. Hays survey, Abstract No. 501, William McLain Goodwin survey, Abstract No. 433, and William H. Hays survey, Abstract No. 512, northerly 234.60 chains to the second corner of the said William H. Hays survey; thence with the north line of the William H. Hays survey east 40.00 chains to the third corner thereof; thence with the west line of the George W. Julien survey, Abstract No. 640, north 8.75 chains to the south line of the R. R. Russell survey, Abstract No. 76; thence with the south line of the R. R. Russell survey easterly 113.00 chains to a point south of corner 10 of Tract K1n; thence within the said R. R. Russell survey north 14 chains to corner 10 of said Tract K1n; thence with three (3) lines of Tract K1n, passing corners 11 and 12, 84.90 chains to corner 13 of said tract in the east line of the R. R. Russell survey; thence with the east line of the R. R. Russell¹ survey northerly 54.00 chains to the beginning corner of the Francis B. Conner survey, Abstract No. 24; thence with the Francis B. Conner survey N. 60°00' E 285.00 chains to the second corner thereof; thence N. 37°15' W 172.00 chains to the beginning corner of the James Patton survey, Abstract No. 808; thence with the southeast line of the James Patton survey S. 60°00' W 105.00 chains to corner 16 of Tract K1b-V; thence with eighteen (18) lines of Tracts K1b-V and K1b-XIV, passing corners 17 to 28 inclusive of Tract K1b-V, corner 2 of Tract K1b-XIV and corners 29 to 32 of Tract K1b-V, 582.13 chains to corner 33 of Tract K1b-V; thence N. 45°00' W 21.50 chains to State Highway No. 21; thence with said highway southwesterly 200.00 chains to the northeast line of the Jacob Masters, Jr. survey, Abstract No. 55; thence with the northeast line of said Jacob Masters, Jr. survey N. 45°00' W 108.00 chains to the north corner of said survey on the southeast line of the Elizabeth Norrod survey, Abstract No. 794; thence with two (2) lines of said Elizabeth Norrod survey S. 45°00' W 20.00 chains, N. 45°00' W 40.00 chains to corner 37 of Tract K1b-VI; thence passing corner 4 of Tract K1b-XIII S. 45°00' W 39.00 chains to corner 40 of Tract K1b-VI; thence with eleven (11) lines of Tract K1b-VI, passing corners 41 to 43 inclusive, and 1 to 7 inclusive, 206.55 chains to corner 8 of said tract; thence with two (2) lines of the James Saunders survey, Abstract No. 907, N. 40°00' W 56.40 chains, North 58.50 chains to the beginning corner thereof; thence with a west line of the Jacob Veittle survey, Abstract No. 1056, north 15.10 chains to the beginning corner of said survey on the south boundary of the Marselino Salas survey, Abstract No. 77; thence north 62.00 chains to San Pedro Creek; thence down and with San Pedro Creek 1090.00 chains to confluence with the Neches River; thence down and with the right bank of the Neches River 5985.00 chains to the point of beginning.

The area described above is graphically shown on the diagram attached hereto and made a part hereof.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington, this 13th day of October, in the year of our Lord nineteen hundred and thirty-six and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

¹ So in original.

SABINE NATIONAL FOREST—TEXAS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

October 13, 1936
[No. 2204]

A PROCLAMATION

WHEREAS certain forest lands within the State of Texas have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, sections 515, 516); and

WHEREAS it appears that it would be in the public interest to reserve and designate such lands as the Sabine National Forest:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, section 471), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, section 521), do proclaim that there are hereby reserved and set apart as the Sabine National Forest all lands of the United States within the following-described area, and that all lands therein which may hereafter be acquired by the United States under authority of the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Sabine National Forest:

Beginning at the junction of the Sabine-Newton County Line with the Texas-Louisiana State Line on the Sabine River; thence up and with the Sabine River and the State Line northerly 8330.00 chains to the southeast corner of the Ann Gray Survey, Abstract No. 240; thence southwesterly with the southeast line of the Ann Gray Survey to the beginning corner of Tract S1b-I, property of the United States; thence with ten (10) lines of Tract S1b-I, N 30°40' W 37.60 chains, West 60.20 chains, S 2°40' W 41.80 chains, S 0°40' W 49.40 chains, S 89°30' W 8.30 chains, South 46.10 chains, N 89°45' E 70.50 chains, S 66°35' W 23.00 chains, S 22°25' E 34.90 chains, N 72°50' E 54.30 chains to corner 17 thereof on the southwest line of the Stephen English Survey, Abstract No. 180; thence with the southwest line of the Stephen English Survey southeasterly 78.00 chains to a point in the line; thence passing in line corner 14 of Tract S1b-I, N 67°30' E 111.00 chains to corner 13 of said tract; thence with the northeast line of the Stephen English Survey southeasterly 229.00 chains to the north corner of the Mrs. M. L. Davis 800 acre tract as recorded in Book 135, page 232, Shelby County Deed Records; thence with the northwest line of said tract southwesterly 111.00 chains to the west corner thereof on the southwest line of the Stephen English Survey; thence with the southwest line of the Stephen English Survey southeasterly 93.00 chains to the beginning corner thereof in Tenaha Bayou; thence up and with Tenaha Bayou southwesterly 234.00 chains to the junction with Beauchamp Creek; thence up and with the meanders of Beauchamp Creek 360.00 chains to the confluence with Bell Creek; thence up and with the meanders of Bell Creek 420.00 chains to the intersection with the north line of the John Hughes Survey, Abstract No. 318; thence with the north line of the John Hughes Survey and the north line of the R. S. Forbuss Survey, Abstract No. 209, westerly 78.00 chains to corner 11 of Tract S1u, identical with Monument-S230; thence with the north line of the T. W. Bounds Survey, Abstract No. 1186, and the Mary J. Baker Survey, Abstract No. 1141, westerly 54.00 chains to the eighth corner of

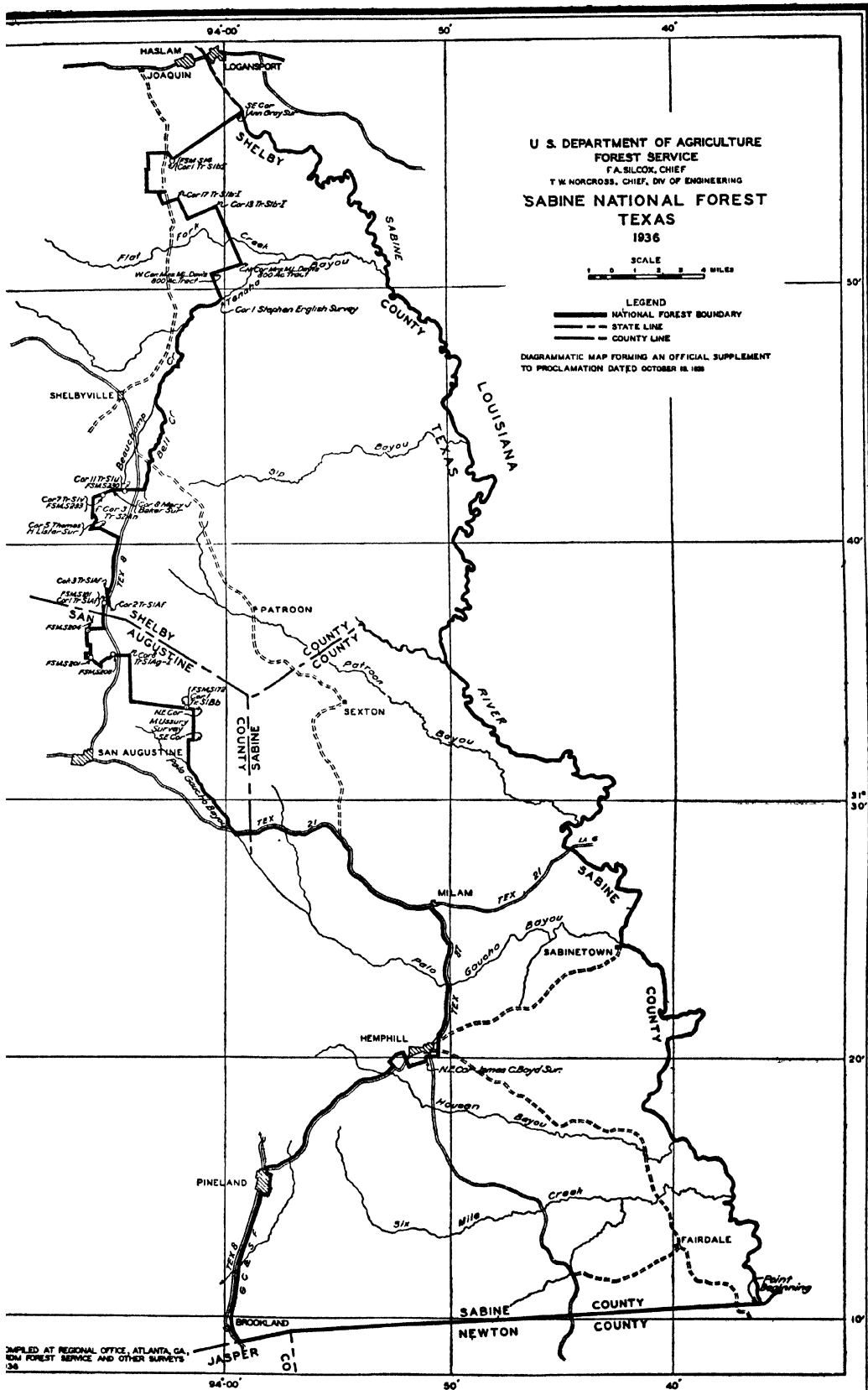
Sabine National Forest, Tex Preamble Statutory authorization 36 Stat 962 16 U. S. C §§ 515, 516

Reserving, etc., designated lands for national forest 26 Stat 1103 16 U S C § 471. 36 Stat 963. 16 U S C § 521

Description

said Mary J. Baker Survey; thence southerly and westerly with three (3) lines of said Mary J. Baker Survey, passing the ninth and tenth corners thereof, 43.00 chains to corner 7 of Tract S1v identical with Monument-S233; thence with three (3) lines of Tract S1v S 83°45' W 31.60 chains, S 0°40' W 72.90 chains, N 69°45' E 7.26 chains to corner 3 of Tract S2An; thence with two (2) lines of the William A. Holland Survey, Abstract No. 322, southerly 59.50 chains to the south corner thereof identical with the southwest corner of the George Field Survey, Abstract No. 996; thence N 80°00' E 25.25 chains to the beginning corner of the George Field Survey identical with the fifth corner of the Thomas H. Lister Survey, Abstract No. 437; thence with the northeast line of the Thomas H. Lister Survey S 70°00' E 73.76 chains to State Highway No. 8; thence with said highway southerly 198.00 chains to a point in the line of Tract S1Af between corner 3 and 4; thence with four (4) lines of said tract N 72°00' W 15.07 chains, S 0°15' E 51.67 chains, N 71°15' W 8.00 chains to the beginning corner of said Tract S1Af identical with Monument-S181; thence S 0°30' E 17.30 chains to State Highway No. 8; thence with said highway southerly 68.00 chains to Tract S1Ag-I at a point between corners 1 and 21 thereof; thence with sixteen (16) lines of Tracts S1Ag-I and S1Ag-III to corner 8 of the latter; thence N 72°30' E 5.00 chains to the east line of the Edmund Quirk Survey, Abstract No. 35; thence with the east line of said Survey southerly 177.00 chains to the southwest corner of the William Humphreys Survey, Abstract No. 138; thence with the south line of said William Humphreys Survey and passing corners 12, 11 and 2 of Tract S1Bb easterly 197.00 chains to corner 1 of said Tract S1Bb identical with Monument-S172; thence with the north line of the M Ussury Survey, Abstract No. 302, easterly 22.80 chains to the northeast corner thereof; thence with the east line of the M. Ussury Survey southerly 114.00 chains to the southeast corner thereof; thence with the south line of said Survey westerly 15.00 chains to the northeast corner of the John Deason Survey, Abstract No. 102; thence with the east line of the John Deason Survey southerly 89.00 chains to Palo Gauchó Bayou; thence down and with Palo Gauchó Bayou southeasterly 300.00 chains to State Highway No. 21; thence with said highway southeasterly 910.00 chains to the intersection with State Highway No. 87; thence with said highway southerly 494.00 chains to the junction of the Hemphill-Sabinatown Road; thence South 74.00 chains to a point in the south line of the Joseph Walker Survey, Abstract No. 57; thence southwesterly with the south line of the Joseph Walker Survey, Abstract No. 57; thence with the south line of the Joseph Walker Survey southwesterly 14.00 chains to the intersection with the north line of the John Haley Survey, Abstract No. 20; thence with the north line of the John Haley Survey westerly 53.00 chains to the northwest corner thereof; thence with the west line of the John Haley Survey southerly 13.50 chains to the northeast corner of the James G. Boyd¹ Survey, Abstract No. 75; thence with five (5) lines of the James C. Boyd¹ Survey S 75°30' W 55.75 chains, N 14°20' W 41.98 chains, S 78°20' W 20.11 chains S 32°00' W 30.35 chains, S 57°00' E 26.65 chains to the Pineland-Hemphill Road; thence with the Pineland-Hemphill Road southwesterly 704.00 chains to the intersection with the east right-of-way line of the Gulf, Colorado and Santa Fe Railway; thence with the said right-of-way line of the Gulf, Colorado and Santa Fe Railway southerly 636.00 chains to the Sabine-Jasper County Line ex-

¹ So in original.



cluding, however, the town of Pineland; thence with the Sabine-Jasper County Line N 77°40' E 353.00 chains to the corner of Sabine, Jasper and Newton Counties; thence with the Sabine-Newton County Line N 86°15' E 1469.00 chains to the point of beginning.

The area described above is graphically shown on the diagram attached hereto and made a part hereof.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 13th day of October, in the year of our Lord nineteen hundred and thirty-six and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

SAM HOUSTON NATIONAL FOREST—TEXAS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS certain forest lands within the State of Texas have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, sections 515, 516); and

WHEREAS it appears that it would be in the public interest to reserve and designate such lands as the Sam Houston National Forest:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, section 471), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, section 521), do proclaim that there are hereby reserved and set apart as the Sam Houston National Forest all lands of the United States within the following-described area, and that all lands therein which may hereafter be acquired by the United States under authority of the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Sam Houston National Forest:

Beginning at Monument-J331 which is identical with corner 6 of Tract J3c, property of the United States, and from which Huntsville is N 38°W 3½ miles approximately; thence with seven (7) lines of the Elihu Davids Survey, Abstract No. 157, northerly 58.50 chains to corner 1 of Tract J3c, identical with the fifteenth corner of said Elihu Davids Survey, westerly 26.77 chains, northerly 80.00 chains, westerly 36.54 chains, southerly 26.10 chains, westerly 39.56 chains, northerly 39.19 chains to the twenty-first corner of said survey, on a south line of the Pleasant Gray Survey, Abstract No. 24; thence with two (2) lines of said Pleasant Gray Survey easterly 9.60 chains, northerly 176.71 chains to the northeast corner of said survey, identical with the northwest corner of the Thos. P. McMillian Survey, Abstract No. 388; thence with the north line of said Thos. P. McMillian Survey easterly 32.70 chains to State Highway No. 19; thence with said highway north-

October 13, 1936

[No 2205]

Sam Houston National Forest, Tex.
Preamble.
Statutory authorization.
36 Stat. 962.
16 U. S. C. §§ 515, 516.

Reserving, etc., designated lands for national forest.
26 Stat. 1103.
16 U. S. C. § 471.
36 Stat. 963.
16 U. S. C. § 521.

Description.

easterly 50.00 chains to the south line of the Jesse Parker Survey, Abstract No. 36; thence with two (2) lines of the said Jesse Parker Survey easterly 181.50 chains, northerly 1.59 chains to a point in the west line of the Ephraim McCaleb Survey, Abstract No. 389; thence with two (2) lines within the said Ephraim McCaleb Survey, N 89°30' E 39.50 chains to Harmon Creek, up and with Harmon Creek, southeasterly 2.20 chains to the seventh corner of said Ephraim McCaleb Survey; thence with a north line of said Ephraim McCaleb Survey easterly 120.67 chains to the sixth corner of said survey and on the west line of the Jeremiah Lauderdale Survey, Abstract No. 328; thence with the west line of the Jeremiah Lauderdale Survey northerly 26.00 chains to the third corner of said survey; thence with the north lines of the said Jeremiah Lauderdale Survey and the John Caruthers Survey, Abstract No. 9, easterly 237.18 chains to the second corner of the said John Caruthers Survey identical with the beginning corner of the Chas. M. Conrow Survey, Abstract No. 137; thence with the west line of said Chas. M. Conrow Survey southerly 69.74 chains to the second corner of said survey identical with the sixth corner of the Jacob Zwicky Survey, Abstract No. 622; thence with three (3) lines of the Jacob Zwicky Survey easterly 43.01 chains, southerly 2.22 chains, easterly 12.63 chains to the third corner of said survey and identical with the twelfth corner of the J. C. Allender Survey, Abstract No. 63; thence continuing with the north line of the said J. C. Allender Survey easterly 40.79 chains to the beginning corner of said survey and identical with the third corner of the J. H. Wilson Survey, Abstract No. 610; thence with two (2) lines of the said J. H. Wilson Survey S 75°00' E. 24.41 chains, S 60°00' E 17.68 chains to the beginning corner of said survey and identical with the fourth corner of the John M. Rustin Survey, Abstract No. 475; thence continuing with the northeast line of the said John M. Rustin Survey S 60°00' E 40.62 chains to the beginning corner of said survey and identical with the beginning corner of the Pierre Blanchet Survey, Abstract No. 7; thence with the southeast line of said Pierre Blanchet Survey N 30°45' E 95.60 chains to the fourth corner of the Edmund Logre Survey, Abstract No. 330; thence with two (2) lines of the said Edmund Logre Survey, S 60°30' E 41.20 chains, N 32°45' E 43.50 chains to third corner of the Roderick Jenkins Survey, Abstract No. 186; thence with the southwest line of the said Roderick Jenkins Survey at 1.00 chain pass from Walker into San Jacinto County, S 59°45' E 60.20 chains to the second corner of said survey on the northwest line of the Albert A. Foster Survey, Abstract No. 123; thence with the said northwest line of the Albert A. Foster Survey, N 30° 45' E 38.90 chains to a point on said line; thence S 59 45' E 31.00 chains to a northwest line of the Robert Kilgore Survey, Abstract No. 193; thence with three (3) lines of the said Albert A. Foster Survey S 32°15' W 4.40 chains, S 59 45' E 12.70 chains, S 31°00' W 56.60 chains to State Highway No. 45; thence with said highway easterly 525 chains to State Highway No. 156 at the town of Point Blank; thence with State Highway No. 156 southerly 238.00 chains to the northwest line of the Miles G. Stephens Survey, Abstract No. 51; thence crossing the said Miles G. Stephens Survey S 60°00' E 68.00 chains to the fourth corner thereof; thence with two (2) lines of the said Miles G. Stephens Survey S 49°00' E 63.14 chains, S 41 00' W 146 chains to a point in the northwest line of the William Rankin, Jr. Survey, Abstract No. 41; thence crossing the said William Rankin, Jr. Survey S 49°00' E 118.50 chains to the fourth corner of the Messina Brown Survey; thence with four (4) lines of the said Messina Brown Sur-

vey S 49°00' E 56.46 chains, S 41°00' W 66.50 chains, S 49°00' E 52.70 chains to the beginning corner, southwesterly 173 chains to State Highway No. 156; thence with State Highway No. 156, southeasterly 215.00 chains to the northwest line of the Robert Rankin Survey, Abstract No. 42; thence with three (3) lines of the Robert Rankin Survey, S 41°51' W 100.00 chains, S 48°24' E 129.64 chains, N 41°30' E 122.50 chains to the south line of the J. D. Martinez Survey 7, Abstract No. 31; thence with the south line of the J. D. Martinez Survey 7 easterly 340.00 chains to a point N 0°45' W of the northeast corner of the Texas Long Leaf Lumber Company 160 acre tract in the J. D. Martinez Survey 10, Abstract No. 32, as recorded in Volume "z", page 144, San Jacinto County Deed Records; thence crossing the said J. D. Martinez Survey 10 S 0°45' E 100.00 chains to a point on the north line of the John Stewart Survey, Abstract No. 52; thence with four (4) lines of the said John Stewart Survey N 88 30' E, 185 chains to the second corner S 1°00' E 105.23 chains, S 3°19' E 20.77 chains, S 89°00' W 25.55 chains to the fourth corner of the J. A. Schnell Survey, Abstract No. 276; thence with two (2) lines of the said J. A. Schnell Survey S 1°00' E 70.50 chains, N. 89°00' E. 24.37 chains to the sixth corner of the Wm. Hardin Survey, Abstract No. 20; thence with two (2) lines of the said Wm. Hardin Survey S 1°10' E 186 63 chains, N 89°00' E 28.00 chains to the Houston, East and West Texas Railroad right-of-way; thence with said Railroad right-of-way southwesterly to the San Jacinto-Liberty County Line; thence with the San Jacinto-Liberty County Line southwesterly to corner of Montgomery and Liberty Counties; thence with the Montgomery-Liberty County line southeasterly to the Gulf, Colorado and Santa Fe Railroad right-of-way; thence with said Railroad right-of-way westerly to Caney Creek; thence up and with Caney Creek northwesterly 1190 00 chains to the forks of said creek; thence up and with the right fork of Caney Creek northwesterly 394.00 chains to State Highway No. 150; thence with said Highway No. 150 easterly 88.50 chains to the old Swartout Road; thence with the old Swartout Road northeasterly 424.00 chains to Winters Creek; thence up and with Winters Creek northwesterly 340.00 chains to the point of confluence with Gourd Creek; thence up and with Gourd Creek westerly 348.00 chains to confluence with Little Creek; thence up and with Little Creek southwesterly 102.00 chains to a point in the southeast line of the Theodore Bennett Survey, Abstract No. 68; thence with the said Theodore Bennett Survey S 44°45' W 85.00 chains to the fourth corner of said survey on a northeasterly line of the Lemuel M. Collard Survey, Abstract No. 10; thence with two (2) lines of the said Lemuel M. Collard Survey N 60°00' W 50.51 chains, S 30°00' W 194.79 chains to the sixth corner of said survey, identical with the sixth corner of the Thos. C. Stevens Survey, Abstract No. 526; thence with two (2) lines of the said Thos. C. Stevens Survey N 60°00' W 66.67 chains, S 30°00' W 9.09 chains to the second corner thereof and identical with the fourth corner of the Charles O. Edwards Survey, Abstract No. 45; thence with four (4) lines of the said Charles O. Edwards Survey N 45°00' W 25.75 chains, S 45°00' W 28.20 chains, S 45°00' E 10.10 chains, S 45°00' W 80.90 chains, passing in line corner 97 of Tract J1-I acquired from Delta Land and Timber Company, to the eighth corner of said Charles O. Edwards Survey and identical with corner 98 and Monument-J14 of said Tract J1-I; thence with five (5) lines of said Tract J1-I, southwesterly 297.70 chains to corner 103 on an easterly line of the John Hoss-teller Survey, Abstract No. 269; thence with five (5) lines of said

John Hossteller Survey, passing the fifth, sixth, seventh, and beginning corners southwesterly 191.00 chains to the second corner thereof and identical with the third corner of the Thomas James Survey, Abstract No. 287; thence with said Thomas James Survey N 75°00' W 33.67 chains to the West Fork of San Jacinto River; thence down and with the West Fork of San Jacinto River southwesterly 252.80 chains to the beginning corner of the Abraham Pevyhouse Survey, Abstract No. 423; thence with the said Abraham Pevyhouse Survey westerly 196.14 chains to a southwest corner of said survey and identical with the beginning corner of the William Adkins Survey, Abstract No. 47; thence with the William Adkins Survey southerly 12.63 chains to the fifth corner thereof; thence with the south lines of the said William Adkins Survey and the James W. O'Bannon Survey, Abstract No. 407, westerly 84.01 chains to the fourth corner of the said James W. O'Bannon Survey on the east line of the John H. Wood Survey, Abstract No. 603; thence with two (2) lines of the said John H. Wood Survey N 0°30' W 42.09 chains, westerly 84.00 chains to corner 11 of Tract J1-III, identical with Monument-J37; thence with said Tract J1-III N 0°30' W 36.00 chains to a point N 89°30' E of corner 84 of Tract J1-IV; thence S 89°30' W 56.00 chains, passing in line corner 84 of said Tract J1-IV, to corner 85 of said Tract J1-IV; thence with eight (8) lines of said Tract J1-IV, passing in line corners 86 to 92, inclusive, 357.90 chains to corner 93 of said Tract J1-IV, identical with Monument-J113; thence with the Wm. Johnson Survey, Abstract No. 291, passing in line corner 94 of said Tract J1-IV, S 89°30' W 82.30 chains to the second corner of said survey and identical with the second corner of the Elizabeth Heaton Survey, Abstract No. 679; thence with the Elizabeth Heaton Survey S 0° 30' E 23.60 chains to the third corner of said survey; thence with the south lines of the said Elizabeth Heaton Survey and the Samuel V. Lamonthe Survey, Abstract No. 331, S 89°30' W 50.20 chains to beginning corner of said Samuel V. Lamonthe Survey and identical with the fourth corner of the Robert Hutcherson Survey, Abstract No. 276; thence with two (2) lines of the Robert Hutcherson Survey northerly 60.00 chains N 89°30' E 0.20 chains to the sixth corner of said survey and identical with corner 102 of said Tract J1-IV; thence with three (3) lines of said Tract J1-IV, passing corners 103 and 104, 62.80 chains to corner 105 of said tract; thence with two (2) lines of the Claiborne B. Sanders Survey, Abstract No. 552, S 89°30' W 40.00 chains, S 0°30' E 8.00 chains to corner 113 of said Tract J1-IV identical with Monument-J49; thence with six (6) lines of said Tract, passing corners 114, 115, 116, 1 and 2 to corner 3 of said tract, which is identical with Monument-J48; thence westerly to corner 8 of said tract; thence with two (2) lines of Tract J1-IV, passing corner 9, 81.20 chains to corner 10 of said tract; thence with two (2) lines of the Nancy Lynch Survey Abstract No. 309, passing in line corner 11 of Tract J1-IV, northerly 72.00 chains, easterly 134.00 chains, to the beginning corner of the Benjamin Johnson Survey, Abstract No. 297; thence with the west lines of the said Benjamin Johnson Survey and the William J. C. Pierce Survey, Abstract No. 431, passing in line corner 66 of Tract J1-II, northerly 156.50 chains to corner 67 of said tract; thence with three (3) lines of Tract J1-II, N 89°30' E 9.20 chains, North 2.30 chains, East 107.80 chains to the fourth corner of the William C. Gill Survey, Abstract No. 209, on the Montgomery-Walker County line; thence with the William C. Gill Survey N 0°30' E 55.90 chains to the northwest corner of the T. E. Simms 261 acre tract as recorded in Volume 38, page 137, Walker County

Deed Records; thence with two (2) lines of said T. E. Simms tract N 89°45' E 46.30 chains, S 0°15' E 56.10 chains to the southeast corner thereof and on the north line of the Augustus Steel Survey, Abstract No. 508; thence with and within the Augustus Steel Survey, passing in line corner 10 of Tract J1-II, East 68.00 chains to corner 11 of said tract; thence with four (4) lines of Tract J1-II, passing corners 12, 13, and 14 of said tract, 58.00 chains to corner 15 thereof; thence with Tract J1-II S 0°30' E 21.00 chains to a point west of corner 18 of said tract; thence passing in line corner 18 of Tract J1-II, East 39.50 chains to corner 19 thereof; thence with six (6) lines of Tract J1-II, passing corners 20 to 24 inclusive, 181.70 chains to corner 25 of said tract; thence easterly 16.50 chains to corner 33 of Tract J1-II; thence with two (2) lines of Tract J1-II, passing in line corner 34, 50.60 chains to corner 35 of said tract; thence with the south line of the Susan Vince Survey, Abstract No. 50, passing in line corners 36 and 41 of said Tract J1-II, N 89°30' E 25.00 chains to West Sandy Creek; thence down and with West Sandy Creek easterly 133.00 chains to confluence with the West Fork of San Jacinto River; thence up and with the West Fork of San Jacinto River and Tract J1-I northwesterly 12.00 chains to corner 8 of said tract; thence with Tract J1-I, N 54°45' E 61.40 chains to corner 9 thereof; thence with the southeast line of the Margaret Talbot Survey, Abstract No. 541, N 55°30' E 42.26 chains to the beginning corner of said survey and on the southwest line of the James Jordan Survey, Abstract No. 28; thence with the southwest line of the James Jordan Survey, S 35°00' E 92 chains to McDonald Creek; thence northeasterly up and with McDonald Creek to the west line of the Crittendon Wells Survey, Abstract No. 591; thence with two (2) lines of the said Crittendon Wells Survey, North 34.00 chains, East 4.21 chains to the beginning corner of said survey and identical with the beginning corner of the W. N. Mock Survey, Abstract No. 401; thence with two (2) lines of the said W. N. Mock Survey, N 25°00' E 80.00 chains, S 65°00' E 80.00 chains to the third corner of said survey; thence with two (2) lines of Tract J12q N 25°00' E 3.00 chains to corner 2, N 89°00' E 39.60 chains to corner 3 of said tract; thence with the William M. Barrett Survey, Abstract No. 77, and the Elihu Davids Survey, *supra*, passing in line corner 4 of Tract J12q, easterly 216.97 chains to the eleventh corner of the said Elihu Davids Survey on the southwest line of the James Tinsley Survey, Abstract No. 548; thence with two (2) lines of the James Tinsley Survey N 25°00' W 84.18 chains, N 65°00' E 10.00 chains to the third corner of the David Thompson Survey, Abstract No. 551; thence with the David Thompson Survey North 2.00 chains, to corner 5 of Tract J3c; thence S 89°30' W 58.70 chains to corner 6 of said tract and the point of beginning.

The area described above is graphically shown on the diagram attached hereto and made a part hereof.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 13th day of October, in the year of our Lord Nineteen hundred and thirty-six and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

CLOSED AREA UNDER THE MIGRATORY BIRD TREATY ACT—ARKANSAS

October 14, 1936
[No. 2206]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

White River Mi-
gratory Waterfowl
Refuge, Ark.
Preamble.
40 Stat. 755.
16 U. S. C. §§ 703-
711.

WHEREAS the Acting Secretary of Agriculture has submitted to me for approval the following regulation adopted by him under authority of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755):

REGULATION DESIGNATING CERTAIN LAND AND NAVIGABLE WATER
WITHIN OR ADJACENT TO WHITE RIVER MIGRATORY WATERFOWL
REFUGE, ARKANSAS, AS CLOSED AREA UNDER THE MIGRATORY
BIRD TREATY ACT

Regulation des-
ignating certain areas
as sanctuaries.

I, M. L. Wilson, Acting Secretary of Agriculture, by virtue of authority vested in me by the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755-757, U. S. C., title 16, secs. 703-711), and in extension of Regulation 4 of the Migratory Bird Treaty Act Regulations, do hereby designate as a closed area, in or on which hunting, taking, capturing, or killing, or attempting to hunt, take, capture, or kill, migratory birds is not permitted, all that area of land and navigable water in Monroe, Arkansas, Phillips, and Desha Counties, Arkansas, lying within the meander lines of the White River between its point of entry into Sec. 13, T. 3 S., R. 2 W., and the point where it leaves Sec. 36, T. 7 S., R. 2 W., Fifth Principal Meridian, and all lands and waters in Arkansas County, Arkansas, lying within the meander lines of La Grue Bayou between its point of entry into Sec. 19, T. 6 S., R. 1 W., and the point of its confluence with the White River in Sec. 7, T. 7 S., R. 1 W., Fifth Principal Meridian, and being within or adjacent to White River Migratory Waterfowl Refuge as established by Executive Order No. 7173, dated September 4, 1935.

AND WHEREAS upon consideration it appears that approval of the foregoing regulation will tend to effectuate the purposes of the aforesaid Migratory Bird Treaty Act of July 3, 1918:

Regulation ap-
proved and pro-
claimed.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power vested in me by the aforesaid Migratory Bird Treaty Act of July 3, 1918, do hereby approve and proclaim the foregoing regulation.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 14th day of October, in the year of our Lord nineteen hundred and thirty-six, and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

ARMISTICE DAY—1936

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

October 27, 1936
[No. 2207]

A PROCLAMATION

WHEREAS the preamble to Senate Concurrent Resolution 18, Sixty-ninth Congress (44 Stat. 1982), passed June 4, 1926, recites:

Armistice Day,
1936
44 Stat. 1982.

"Whereas the 11th of November, 1918, marked the cessation of the most destructive, sanguinary, and far-reaching war in human annals and the resumption by the people of the United States of peaceful relations with other nations, which we hope may never again be severed; and

Statutory authori-
zation.

"Whereas it is fitting that the recurring anniversary of this date should be commemorated with thanksgiving and prayer and exercises designed to perpetuate peace through good will and mutual understanding between nations; and

"Whereas the legislatures of twenty-seven of our States have already declared November 11 to be a legal holiday:"

AND WHEREAS the said Concurrent Resolution provides:

"That the President of the United States is requested to issue a proclamation calling upon the officials to display the flag of the United States on all Government buildings on November 11 and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies expressive of our gratitude for peace and our desire for the continuance of friendly relations with all other peoples."

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby direct that on November 11, 1936, the eighteenth anniversary of the Armistice, the flag of the United States be displayed on all Government buildings, and do invite the people of the United States to observe the day with appropriate ceremonies in schools and churches, or other suitable places.

Directing display of
flag and inviting ob-
servance of.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 27th day of October in the year of our Lord nineteen hundred and thirty-six, and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

THANKSGIVING DAY—1936

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

November 12, 1936
[No. 2208]

A PROCLAMATION

I, FRANKLIN D. ROOSEVELT, President of the United States of America, hereby designate Thursday, the twenty-sixth day of November 1936, as a day of national thanksgiving.

Thanksgiving Day,
1936.
Thursday, Novem-
ber 26, designated as.

The observance of a day of general thanksgiving by all the people is a practice peculiarly our own, hallowed by usage in the days before we were a nation and sanctioned through succeeding years.

Having safely passed through troubled waters, it is our right to express our gratitude that Divine Providence has vouchsafed us

wisdom and courage to overcome adversity. Our free institutions have been maintained with no abatement of our faith in them. In our relations with other peoples we stand not aloof but make resolute effort to promote international friendship and, by the avoidance of discord, to further world peace, prosperity, and happiness.

Coupled with our grateful acknowledgment of the blessings it has been our high privilege to enjoy, we have a deepening sense of our solemn responsibility to assure for ourselves and our descendants a future more abundant in faith and in security.

Observance.

Let us, therefore, on the day appointed, each in his own way, but together as a whole people, make due expression of our thanksgiving and humbly endeavor to follow in the footsteps of Almighty God.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this 12th day of November, in the year of our Lord nineteen hundred and thirty-six, and [SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:
R. WALTON MOORE
Acting Secretary of State.

November 16, 1936
[No 2209]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA
A PROCLAMATION

New York World's
Fair, 1939
Preamble

WHEREAS there is to be held at New York City during the year 1939 a World's Fair which has for its purpose the celebration of the one hundred and fiftieth anniversary of the inauguration of the first President of the United States of America and of the establishment of the national government in the city of New York;

Statutory provi-
sion
49 Stat 1516.

WHEREAS a Joint Resolution of Congress approved June 15, 1936, reads in part as follows:

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized and respectfully requested by proclamation, or in such manner as he may deem proper, to invite foreign countries and nations to such proposed world's fair with a request that they participate therein.";

AND WHEREAS I believe the people of many nations would be pleased to unite with the people of the United States in participating in this World's Fair:

Foreign nations in-
vited to participate.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, in compliance with the aforesaid Joint Resolution of Congress, do invite the participation of the nations in this World's Fair.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 16th day of November in the year of our Lord one thousand nine hundred and thirty-six, and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:
R. WALTON MOORE
Acting Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

November 16, 1936
[No. 2210]

A PROCLAMATION

WHEREAS there is to be held at San Francisco, California, during the year 1939 an international exposition which has for its purpose the celebration of the completion of the San Francisco-Oakland Bridge and the Golden Gate Bridge, and which is designed to depict and exhibit the progress and accomplishments of the Pacific area of the United States in science, industry, business, transportation, and culture, and which, because of its world character, will contribute to cordial relations among the nations of the world;

Golden Gate International Exposition.
Preamble.

WHEREAS a Joint Resolution of Congress approved June 15, 1936, reads in part as follows:

Statutory provisions.
49 Stat 1518.

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized and respectfully requested by proclamation, or in such manner as he may deem proper, to invite foreign countries and nations to such proposed exposition with a request that they participate therein.";

AND WHEREAS I believe the people of many nations would be pleased to unite with the people of the United States in participating in this exposition, to be known as the Golden Gate International Exposition:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, in compliance with the aforesaid Joint Resolution of Congress, do invite the participation of the nations in this exposition.

Foreign nations invited to participate.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 16th day of November in the year of our Lord nineteen hundred and thirty-six, and
[SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

R. WALTON MOORE

Acting Secretary of State.

WICHITA NATIONAL FOREST—OKLAHOMA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

November 27, 1936
[No. 2211]

A PROCLAMATION

WHEREAS it appears that it would be in the public interest to revoke the proclamations of July 4, 1901 (32 Stat. 1973), May 29, 1906 (34 Stat. 3207), and October 13, 1910 (36 Stat. 2754), establishing, enlarging, and modifying the Wichita National Forest, Oklahoma:

Wichita National Forest, Okla
Preamble.
32 Stat. 1973; 34 Stat. 3207, 36 Stat. 2754.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the act of June 4, 1897, 30 Stat. 1, 11, 36 (16 U. S. C., sec. 473), and upon the recommendation of the Secretary of Agriculture, do hereby revoke the aforesaid proclamations.

Designated proclamations establishing, enlarging, etc., revoked.
30 Stat 36.
16 U. S. C. § 473.

This proclamation is not intended to release any lands from the game preserve known as the Wichita Mountains Wildlife Refuge, as established, enlarged, and designated by the proclamation of June 2, 1905 (34 Stat. 3062), by the executive order of July 26, 1935 (No.

Wichita Mountains Wildlife Refuge not affected.
34 Stat. 3062, 49 Stat 1446.

7116), and by the provision in the Department of Agriculture Appropriation Act, 1937, approved June 4, 1936.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 27 day of November in the year of our Lord one thousand nine hundred and thirty-six, [SEAL] and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

R. WALTON MOORE

Acting Secretary of State.

OCMULGEE NATIONAL MONUMENT—GEORGIA

December 23, 1936
[No. 2212]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Ocmulgee National Monument, Ga.
Preamble.
48 Stat. 958.
16 U. S. C. §§ 447a-447c.

WHEREAS the act of Congress entitled "An Act To authorize the establishment of the Ocmulgee National Monument in Bibb County, Georgia", approved June 14, 1934 (48 Stat. 958), provides, in part:

Statutory provision.

That when title to lands commonly known as the "Old Ocmulgee Fields", upon which certain Indian mounds of great historical importance are located, comprising approximately two thousand acres, in and around the city of Macon, County of Bibb, State of Georgia, as shall be designated by the Secretary of the Interior, in the exercise of his judgment and discretion as necessary for national-monument purposes, shall have been vested in the United States, said area shall be set aside as a national monument, by proclamation of the President, and shall be known as the "Ocmulgee National Monument":

AND WHEREAS the Secretary of the Interior has designated an area comprising 678.48 acres of such land as necessary for national-monument purposes, title to which is vested in the United States:

Establishment proclaimed.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the statutory provisions above set out, do proclaim that the aforesaid area as indicated on the diagram attached hereto and forming a part hereof is hereby set aside as a national monument to be known as the Ocmulgee National Monument.

Warning against unlawful acts.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

Supervision.

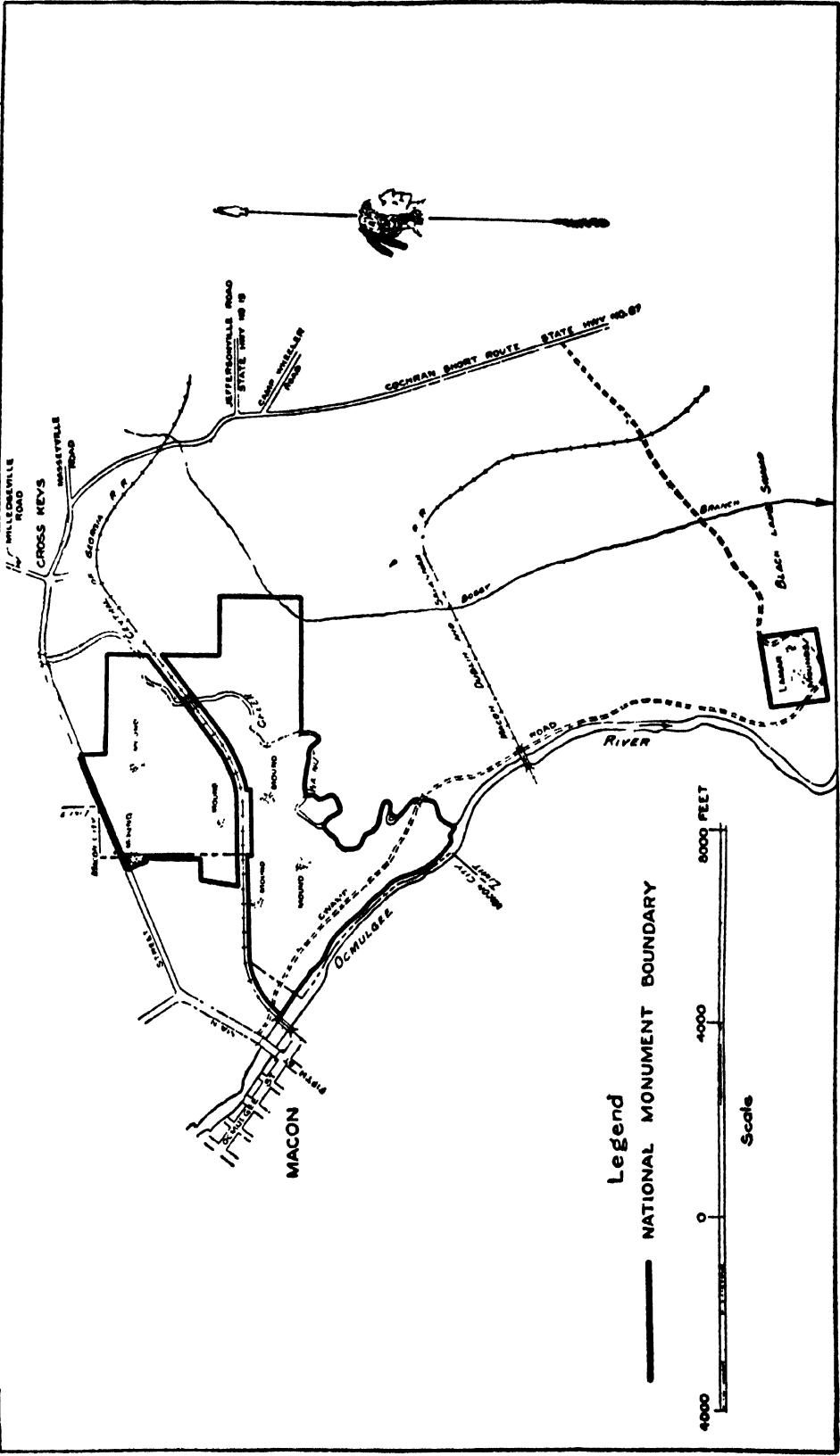
The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of the monument as provided in the act of Congress entitled "An Act To establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535, U. S. C., title 16, secs. 1 and 2), and acts supplementary thereto or amendatory thereof.

39 Stat. 535.
16 U. S. C. §§ 1, 2.

DEPARTMENT OF THE INTERIOR
HAROLD L. ICKES, SECRETARY

GEORGIA
BIBB COUNTY

NATIONAL PARK SERVICE
ARNO B. GAMMETER, DIRECTOR



OCMULGEE NATIONAL MONUMENT

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 23^d day of December, in the year of our Lord nineteen hundred and thirty-six and [SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President

R. WALTON MOORE

Acting Secretary of State.

SUPERIOR NATIONAL FOREST—MINNESOTA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

December 28, 1936
[No 2213]

A PROCLAMATION

WHEREAS by proclamation of April 9, 1927 (45 Stat. 2904), there were set apart as the Superior National Forest in the State of Minnesota certain lands which had been, or might thereafter be, acquired by the United States of America under authority of the act of Congress approved March 1, 1911, ch. 186, 36 Stat. 961 (U. S. C., title 16, sec. 516), as amended by the act of June 7, 1924, ch. 348, 43 Stat. 653 (U. S. C., title 16, sec. 515), together with certain adjoining public lands; and

Superior National Forest, Minn
Preamble
45 Stat 2904

36 Stat 962
16 U S C. §§ 516, 515.

WHEREAS it appears that it would be in the public interest to modify the boundaries of the said national forest by including therein certain forest lands which have been, or may be, acquired under authority of the said acts of March 1, 1911, and June 7, 1924, and certain adjoining public lands:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power in me vested by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), the act of June 4, 1897, ch. 2, 30 Stat. 34, 36 (U. S. C., title 16, sec. 473), and section 11 of the said act of March 1, 1911, do proclaim that all lands of the United States within the areas shown as additions on the diagram attached hereto and made a part hereof are hereby included in and reserved as a part of the Superior National Forest, and that all lands within such areas which may hereafter be acquired by the United States under the said acts of March 1, 1911, and June 7, 1924, shall upon acquisition of title thereto be reserved and administered as a part of the said Forest.

Boundaries modified.

26 Stat. 1103
16 U S C. § 471.

30 Stat 36
16 U S C. § 473
16 U S C. § 521

Treatment of acquisitions.

The reservation made by this proclamation shall, as to such of the lands as are affected thereby, be subject to the terms and conditions of the act of July 10, 1930, ch. 881, 46 Stat. 1020, and shall as to all lands which are at this date legally appropriated under the public land laws or reserved for any public purpose other than for classification under Executive Orders No. 5833 of April 8, 1932, and No. 6964 of February 5, 1935, as amended, be subject to, and shall not interfere with or defeat, legal rights under such appropriation, nor prevent the use for such public purpose of lands so reserved, so long as such appropriation is legally maintained or such reservation remains in force.

Terms and conditions

46 Stat 1020
16 U S. C. §§ 577-577b.

Prior rights, etc., not affected.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 28th day of December, in the year of our Lord nineteen hundred and thirty-six and [SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

R. WALTON MOORE

Acting Secretary of State.

MERCHANDISE IN BONDED WAREHOUSE

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

December 29, 1936
[No. 2214]

Merchandise in bonded warehouse.

Statutory authorization.
46 Stat. 696
19 U. S. C. § 1818.

46 Stat. 744.
16 U. S. C. § 1557.

WHEREAS section 318 of the Tariff Act of 1930 (46 Stat. 696) provides:

"Whenever the President shall by proclamation declare an emergency to exist by reason of a state of war, or otherwise, he may authorize the Secretary of the Treasury to extend during the continuance of such emergency the time herein prescribed for the performance of any act * * *";

AND WHEREAS section 557 of the said Act (46 Stat. 744) provides:

"Any merchandise subject to duty, with the exception of perishable articles and explosive substances other than fire-crackers, may be entered for warehousing and be deposited in a bonded warehouse at the expense and risk of the owner, importer, or consignee. Such merchandise may be withdrawn, at any time within three years (or ten months in the case of grain) from the date of importation, for consumption upon payment of the duties and charges accruing thereon at the rate of duty imposed by law upon such merchandise at the date of withdrawal * * * *Provided*, That the total period of time for which such merchandise may remain in bonded warehouse shall not exceed three years (or ten months in the case of grain) from the date of importation * * *";

Emergency declared.

Warehousing period for merchandise further extended.

Imports between January 11 and December 31, 1930.
42 Stat. 977; 46 Stat. 744.

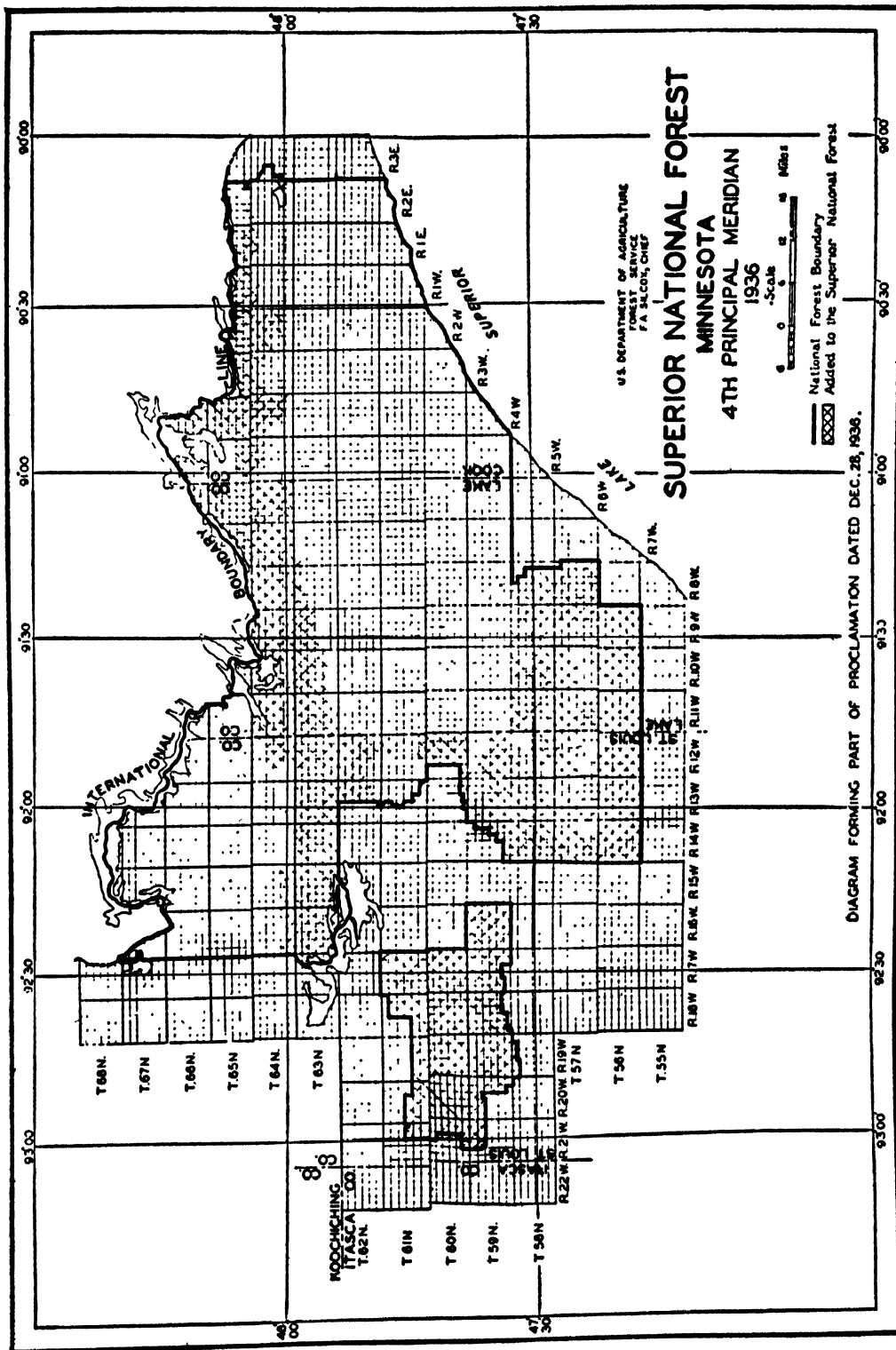
47 Stat. 2648.

49 Stat. 3427, 3491.

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States of America, acting under and by virtue of the authority vested in me by the foregoing provision of section 318 of the Tariff Act of 1930, do by this proclamation declare an emergency to exist.

And I do hereby authorize the Secretary of the Treasury, until further notice:

(1) In the case of merchandise imported between January 11 and December 31, 1930 (both dates inclusive), and entered for warehousing under section 557 of the Tariff Act of 1922 (42 Stat. 977) or section 557 of the Tariff Act of 1930, except grain imported on or after June 18, 1930, to extend the warehousing period for not more than one year from and after the expiration of the three-year period prescribed in sections 557 and 559 of the Tariff Acts of 1922 and 1930, as extended for two years under the authority of Proclamation No. 2023, dated December 23, 1932, and further extended for one year under the authority of Proclamation No. 2109, dated December 21, 1934, and further extended for one year under the authority of Proclamation No. 2154, dated January 11, 1936.



(2) In the case of merchandise (except grain) imported between January 11 and December 31, 1931 (both dates inclusive), and entered for warehousing under section 557 of the Tariff Act of 1930, to extend the warehousing period for not more than one year from and after the expiration of the three-year period prescribed in sections 557 and 559 of the Tariff Act of 1930, as extended for one year under the authority of Proclamation No. 2069, dated December 30, 1933, and further extended for one year under the authority of Proclamation No. 2110, dated December 21, 1934, and further extended for one year under the authority of Proclamation No. 2154, dated January 11, 1936.

Imports between January 11 and December 31, 1931.
48 Stat 744.

48 Stat 1726; 49 Stat. 3428, 3491.

(3) In the case of merchandise (except grain) imported between January 11 and December 31, 1932 (both dates inclusive), and entered for warehousing under section 557 of the Tariff Act of 1930, to extend the warehousing period for not more than one year from and after the expiration of the three-year period prescribed in sections 557 and 559 of the Tariff Act of 1930, as extended for one year under the authority of Proclamation No. 2111, dated December 22, 1934, and further extended for one year under the authority of Proclamation No. 2154, dated January 11, 1936.

Imports between January 11 and December 31, 1932.

49 Stat 3429, 3491.

(4) In the case of merchandise (except grain) imported between January 11 and December 31, 1933 (both dates inclusive), and entered for warehousing under section 557 of the Tariff Act of 1930, to extend the warehousing period for not more than one year from and after the expiration of the three-year period prescribed in sections 557 and 559 of the Tariff Act of 1930, as extended for one year under the authority of Proclamation No. 2154, dated January 11, 1936.

Imports between January 11 and December 31, 1933.

(5) In the case of merchandise (except grain) imported during the calendar year 1934 and entered for warehousing under section 557 of the Tariff Act of 1930, to extend the warehousing period for not more than one year from and after the expiration of the three-year period prescribed in sections 557 and 559 of the Tariff Act of 1930.

Imports during 1934

Provided, however, That in each and every case the Secretary of the Treasury shall require that the principal on the warehouse-entry bond, in order to obtain the benefits under the extension granted, shall either furnish to the collector of customs for the district in which the merchandise is warehoused the agreement of the sureties on such bond to remain bound under the terms and provisions of the bond to the same extent as if no extension were granted, or furnish an additional bond with acceptable sureties to cover the period of extension: *And provided further,* That the extensions of one year herein authorized shall not apply to any merchandise imported during the years 1930, 1931, 1932 and 1933 as to which the periods of extension authorized by Proclamation No. 2154, dated January 11, 1936, have expired, or to any merchandise imported during the calendar year 1934 as to which the three-year period prescribed in sections 557 and 559 of the Tariff Act of 1930 has expired.

Provisos.
Bond required.

Exceptions.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 29 day of December in the year of our Lord nineteen hundred and thirty six, and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

R. WALTON MOORE

Acting Secretary of State.

EXTENDING THE PERIOD FOR EXPORTATION OF MERCHANDISE FOR DRAWBACK PURPOSES

December 29, 1936
[No. 2215]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Exportation of mer-
chandise for drawback
purposes

Statutory authori-
zation
46 Stat. 696.
19 U. S. C. § 1318.

46 Stat. 694.
19 U. S. C. § 1313.

WHEREAS section 318 of the Tariff Act of 1930 (46 Stat. 696) provides:

“Whenever the President shall by proclamation declare an emergency to exist by reason of a state of war, or otherwise, he may authorize the Secretary of the Treasury to extend during the continuance of such emergency the time herein prescribed for the performance of any act * * *”;

AND WHEREAS section 313 (h) of the Tariff Act of 1930 (46 Stat. 694) provides:

“No drawback shall be allowed under the provisions of this section or of section 6 of the Act entitled ‘An Act temporarily to provide revenue for the Philippine Islands, and for other purposes,’ approved March 8, 1902 (relating to drawback on shipments to the Philippine Islands), unless the completed article is exported, or shipped to the Philippine Islands, within three years after importation of the imported merchandise”;

Emergency de-
clared.

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States of America, acting under and by virtue of the authority vested in me by the foregoing provision of section 318 of the Tariff Act of 1930, do by this proclamation declare an emergency to exist.

And I do hereby authorize the Secretary of the Treasury:

Time extended on
exportation of mer-
chandise to the Phil-
ippine Islands.

(1) In the case of articles manufactured or produced in the United States with the use of imported or substituted merchandise for drawback purposes where the imported merchandise involved was imported between June 18 and December 31, 1930 (both dates inclusive), to extend the period for exportation, or shipment to the Philippine Islands, of the completed article for not more than one year from and after the expiration of the three-year period prescribed in the said section 313 (h), as extended for two years under the authority of Proclamation No. 2023, dated December 23, 1932, and further extended for one year under the authority of Proclamation No. 2121, dated April 1, 1935, and further extended for one year under the authority of Proclamation No. 2156, dated January 18, 1936.

47 Stat. 2548; 49 Stat.
3442, 3494

Articles imported
between April 1 and
December 31, 1931.

(2) In the case of articles manufactured or produced in the United States with the use of imported or substituted merchandise for drawback purposes where the imported merchandise involved was imported between April 1 and December 31, 1931 (both dates inclusive), to extend the period for exportation, or shipment to the Philippine Islands, of the completed article for not more than one year from and after the expiration of the three-year period prescribed in the said section 313 (h), as extended for one year under the authority of Proclamation No. 2069, dated December 30, 1933, and further extended for one year under the authority of Proclamation No. 2121, dated April 1, 1935, and further extended for one year under the authority of Proclamation No. 2156, dated January 18, 1936.

48 Stat. 1726.

49 Stat. 3442.

49 Stat. 3494.

Between April 1
and December 31,
1932.

(3) In the case of articles manufactured or produced in the United States with the use of imported or substituted merchandise for drawback purposes where the imported merchandise involved was imported between April 1 and December 31, 1932 (both dates inclusive), to extend the period for exportation, or shipment to the Philippine

Islands, of the completed article for not more than one year from and after the expiration of the three-year period prescribed in the said section 313 (h), as extended for one year under the authority of Proclamation No. 2121, dated April 1, 1935, and further extended for one year under the authority of Proclamation No. 2156, dated January 18, 1936.

(4) In the case of articles manufactured or produced in the United States with the use of imported or substituted merchandise for drawback purposes where the imported merchandise involved was imported between January 18 and December 31, 1933 (both dates inclusive), to extend the period for exportation, or shipment to the Philippine Islands, of the completed article for not more than one year from and after the expiration of the three-year period prescribed in the said section 313 (h), as extended for one year under the authority of Proclamation No. 2156, dated January 18, 1936.

Between January 18
and December 31,
1933.

(5) In the case of articles manufactured or produced in the United States with the use of imported or substituted merchandise for drawback purposes where the imported merchandise involved was imported during the calendar year 1934, to extend the period for exportation, or shipment to the Philippine Islands, of the completed article for not more than one year from and after the expiration of the three-year period prescribed in the said section 313 (h).

During 1934.

Provided, however, That the extensions of one year herein authorized shall not apply in any case involving merchandise imported in 1931, 1932 or 1933 where the one-year period of extension authorized in the said Proclamation of January 18, 1936, has expired, or in any case involving merchandise imported in 1934 where the three-year period prescribed in the said section 313 (h) has expired.

*Proviso
Exceptions.*

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 29 day of December in the year of our Lord nineteen hundred and thirty six, and of
[SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

R. WALTON MOORE

Acting Secretary of State.

CHIPPEWA NATIONAL FOREST—MINNESOTA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

December 29, 1936
[No. 2216]

A PROCLAMATION

WHEREAS by act of Congress approved May 23, 1908, 35 Stat. 268, certain lands in the State of Minnesota were set apart and reserved as the Minnesota National Forest, the name of which was by Executive Order No. 4913 of June 22, 1928, changed to Chippewa National Forest; and

Chippewa National
Forest, Minn
Preamble
35 Stat. 268.

WHEREAS it appears that it would be in the public interest to modify the boundaries of the said national forest by including therein certain forest lands which have been, or may be, acquired by the United States of America under authority of the act of Congress approved March 1, 1911, ch. 186, 36 Stat. 961 (U. S. C., title 16, sec. 516), as amended by the act of June 7, 1924, ch. 348, 43 Stat. 653 (U. S. C., title 16, sec. 515), and certain adjoining public lands:

36 Stat. 961; 43 Stat.
653.
16 U. S. C. §§ 515,
516.

Boundaries modified

26 Stat. 1103.
16 U. S. C. § 471.
30 Stat. 36
16 U. S. C. § 473.
16 U. S. C. § 521.

Acquisitions.

Existing rights not affected

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power in me vested by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), the act of June 4, 1897, ch. 2, 30 Stat. 34, 36 (U. S. C., title 16, sec. 473), and section 11 of the said act of March 1, 1911, do proclaim that all lands of the United States within the area shown as an addition on the diagram attached hereto and made a part hereof are hereby included in and reserved as a part of the Chippewa National Forest, and that all lands within such area which may hereafter be acquired by the United States under the said acts of March 1, 1911, and June 7, 1924, shall upon acquisition of title thereto be reserved and administered as part of the said Forest.

The reservation made by this proclamation shall be subject to valid existing rights, and shall as to all lands which are at this date reserved for any public purpose other than for classification under Executive Order No. 6964 of February 5, 1935, as amended, be subject to such reservation and shall not prevent the use for such public purpose of lands so reserved so long as such reservation remains in force.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington, this 29th day of December in the year of our Lord nineteen hundred and thirty-six and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

R. WALTON MOORE

Acting Secretary of State.

EXTENDING THE PERIOD FOR FURNISHING PROOF OF USE IN MANUFACTURE OF BONDED WOOL AND CAMEL HAIR

December 30, 1936

[No. 2217]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Bonded warehouses, etc

WHEREAS section 318 of the Tariff Act of 1930 (46 Stat. 696) provides:

Statutory authorization.

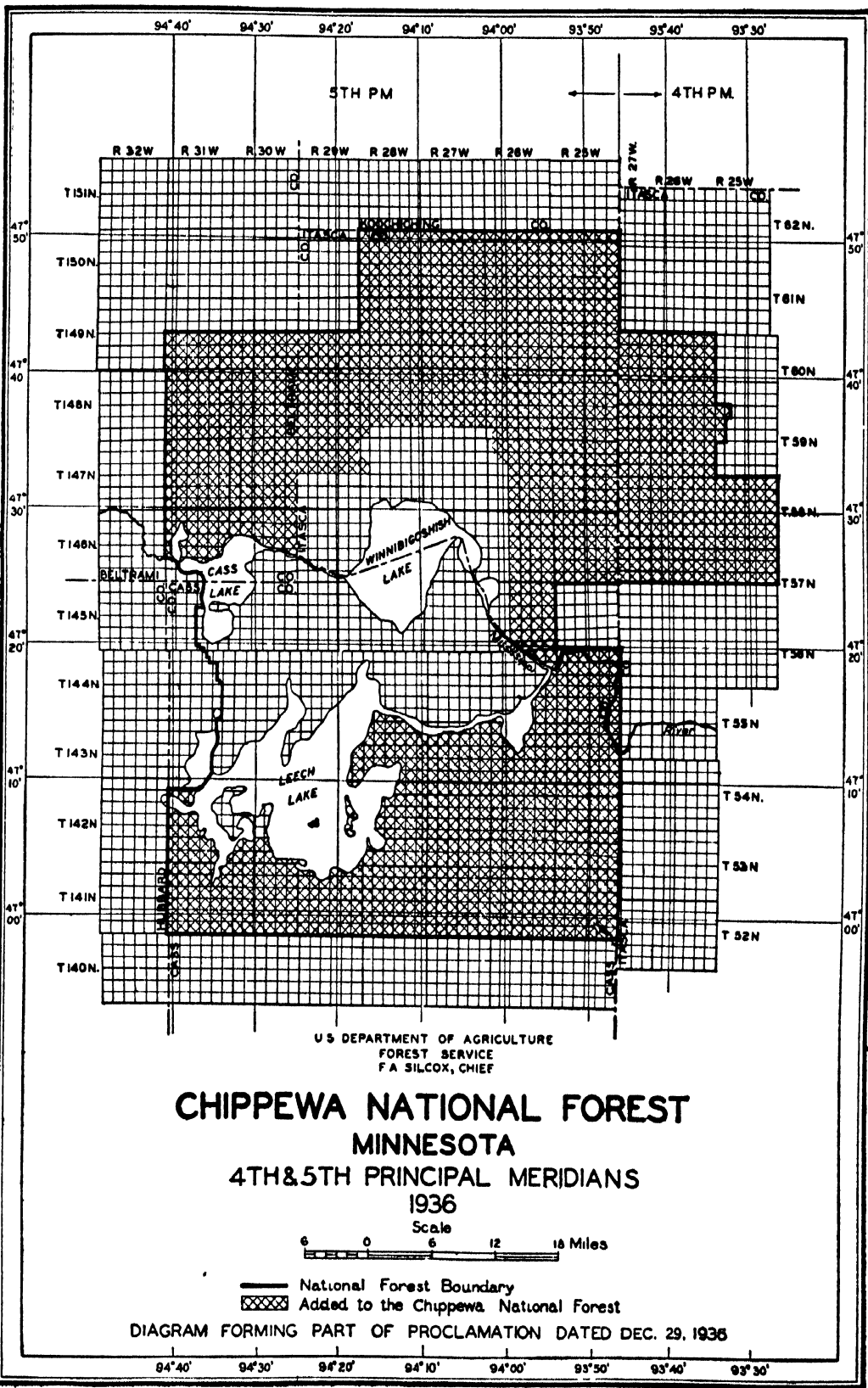
46 Stat. 696
19 U. S. C. § 1318.

“Whenever the President shall by proclamation declare an emergency to exist by reason of a state of war, or otherwise, he may authorize the Secretary of the Treasury to extend during the continuance of such emergency the time herein prescribed for the performance of any act * * *”;

42 Stat. 904.

WHEREAS paragraph 1101 of the Tariff Act of 1922 (42 Stat. 904) provides that wools of certain kinds

“* * * may be imported under bond in an amount to be fixed by the Secretary of the Treasury and under such regulations as he shall prescribe; and if within three years from the date of importation or withdrawal from bonded warehouse satisfactory proof is furnished that the wools have been used in the manufacture of rugs, carpets, or any other floor coverings, the duties shall be remitted or refunded * * *”;



AND WHEREAS paragraph 1101 of the Tariff Act of 1930 (46 Stat. 646) provides that wools of certain kinds and hair of the camel

46 Stat. 646.

“* * * may be imported under bond in an amount to be fixed by the Secretary of the Treasury and under such regulations as he shall prescribe; and if within three years from the date of importation or withdrawal from bonded warehouse satisfactory proof is furnished that the wools or hair have been used in the manufacture of yarns which have been used in the manufacture of press cloth, camel's hair belting, rugs, carpets, or any other floor covering, or in the manufacture of knit or felt boots or heavy fulled lumbermen's socks, the duties shall be remitted or refunded * * *”;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority vested in me by the foregoing provision of section 318 of the Tariff Act of 1930, do by this proclamation declare an emergency to exist.

Emergency declared.

And I do hereby authorize the Secretary of the Treasury, until further notice:

(1) In the case of wools imported or withdrawn from bonded warehouse between January 18 and June 17, 1930 (both dates inclusive), under bond, under the provisions of paragraph 1101 of the Tariff Act of 1922, and wools or hair of the camel imported or withdrawn from bonded warehouse during the calendar year 1930, under bond, under the provisions of paragraph 1101 of the Tariff Act of 1930, to extend the period during which proof of use in manufacture may be furnished for not more than one year from and after the expiration of the three-year period prescribed in the said paragraphs as extended for two years under the authority of Proclamation No. 2023, dated December 23, 1932, and further extended for one year under the authority of Proclamation No. 2113, dated January 7, 1935, and further extended for one year under the authority of Proclamation No. 2155, dated January 18, 1936.

Wools and camel hair imported or withdrawn from bonded warehouse during 1930.
Time extended for furnishing proof of use.

47 Stat. 2549.

49 Stat. 3432, 3492.

(2) In the case of wools or hair of the camel imported or withdrawn from bonded warehouse between January 18 and December 31, 1931 (both dates inclusive), under bond, under the provisions of paragraph 1101 of the Tariff Act of 1930, to extend the period during which proof of use in manufacture may be furnished for not more than one year from and after the expiration of the three-year period prescribed in the said paragraph as extended for one year under the authority of Proclamation No. 2069, dated December 30, 1933, and further extended for one year under the authority of Proclamation No. 2113, dated January 7, 1935, and further extended for one year under the authority of Proclamation No. 2155, dated January 18, 1936.

Imports or withdrawals between January 18 and December 31, 1931.

48 Stat. 1726.

49 Stat. 3432.

49 Stat. 3492.

(3) In the case of wools or hair of the camel imported or withdrawn from bonded warehouse between January 18 and December 31, 1932 (both dates inclusive), under bond, under the provisions of paragraph 1101 of the Tariff Act of 1930, to extend the period during which proof of use in manufacture may be furnished for not more than one year from and after the expiration of the three-year period prescribed in the said paragraph as extended for one year under the authority of Proclamation No. 2113, dated January 7, 1935, and further extended for one year under the authority of Proclamation No. 2155, dated January 18, 1936.

Imports or withdrawals between January 18 and December 31, 1932.

49 Stat. 3432.

49 Stat. 3492.

(4) In the case of wools or hair of the camel imported or withdrawn from bonded warehouse between January 18 and December 31, 1933 (both dates inclusive), under bond, under the provisions of paragraph 1101 of the Tariff Act of 1930, to extend the period during

Imports or withdrawals between January 18 and December 31, 1933.

which proof of use in manufacture may be furnished for not more than one year from and after the expiration of the three-year period prescribed in the said paragraph as extended for one year under the authority of Proclamation No. 2155, dated January 18, 1936.

49 Stat 3492.
During 1934.

(5) In the case of wools or hair of the camel imported or withdrawn from bonded warehouse during the calendar year 1934, under bond, under the provisions of paragraph 1101 of the Tariff Act of 1930, to extend the period during which proof of use in manufacture may be furnished for not more than one year from and after the expiration of the three-year period prescribed in the said paragraph.

Provisos.
Bond.

Provided, however, That in each and every case the Secretary of the Treasury shall require that the principal on the bond, in order to obtain the benefits under the extension granted, shall either furnish to the collector of customs for the district in which the bond was given the agreement of the sureties on such bond to remain bound under the terms and provisions of the bond to the same extent as if no extension were granted, or furnish an additional bond with acceptable sureties to cover the period of extension: *And provided further,* That the extensions of one year herein authorized shall not apply to any wools or hair of the camel imported or withdrawn from bonded warehouse under bond during the calendar years 1930, 1931, 1932 and 1933, on which the one-year period of extension authorized in the aforesaid proclamation of January 18, 1936, has expired, or to any wools or hair of the camel imported or withdrawn from bonded warehouse under bond during the calendar year 1934 on which the three-year period prescribed in paragraph 1101 of the Tariff Act of 1930 has expired.

Exceptions.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 30 day of December in the year of our Lord nineteen hundred and thirty six, and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:
R. WALTON MOORE
Acting Secretary of State.

CHEQUAMEGON NATIONAL FOREST—WISCONSIN

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

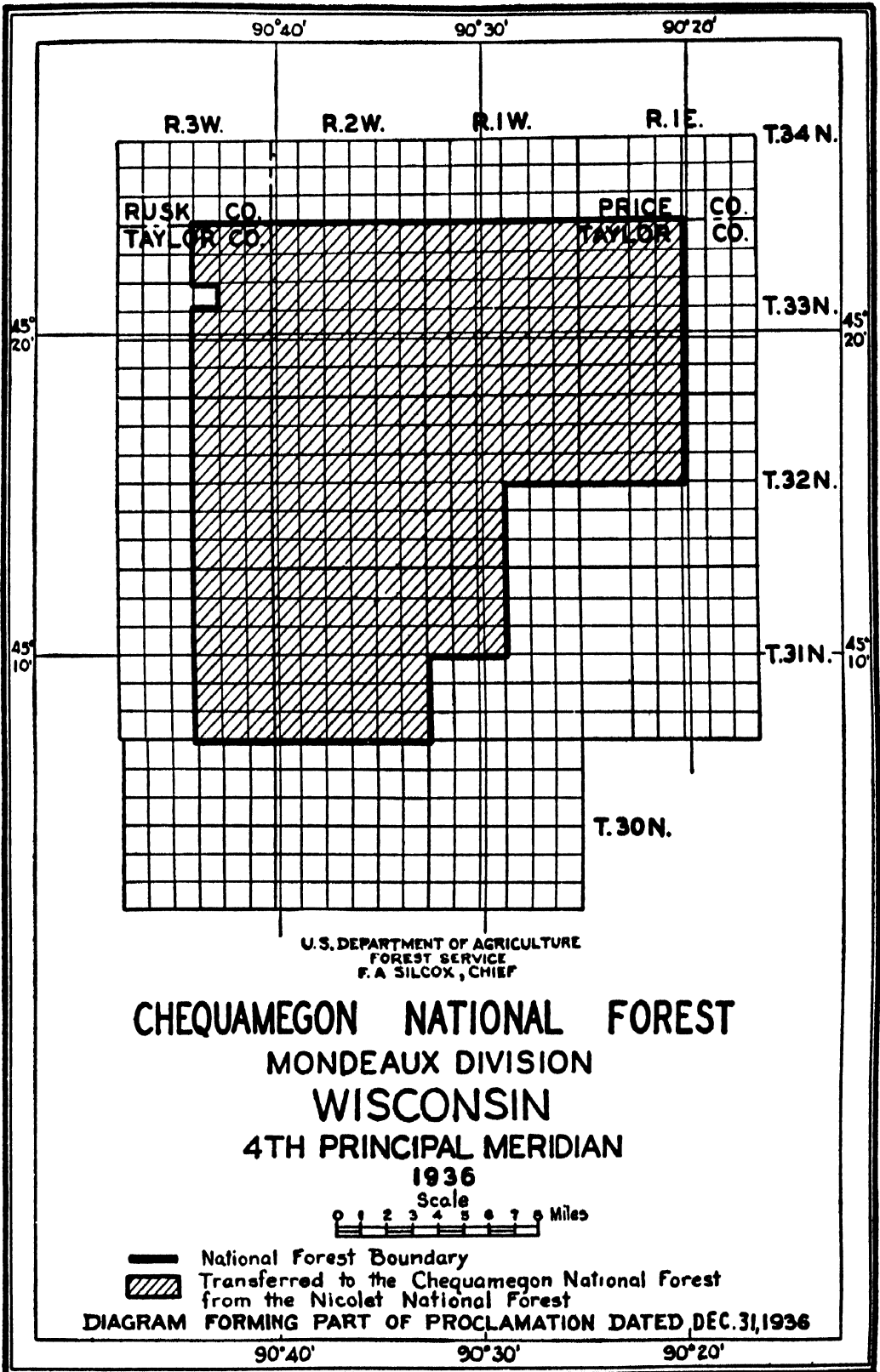
December 31, 1936
[No 2218]

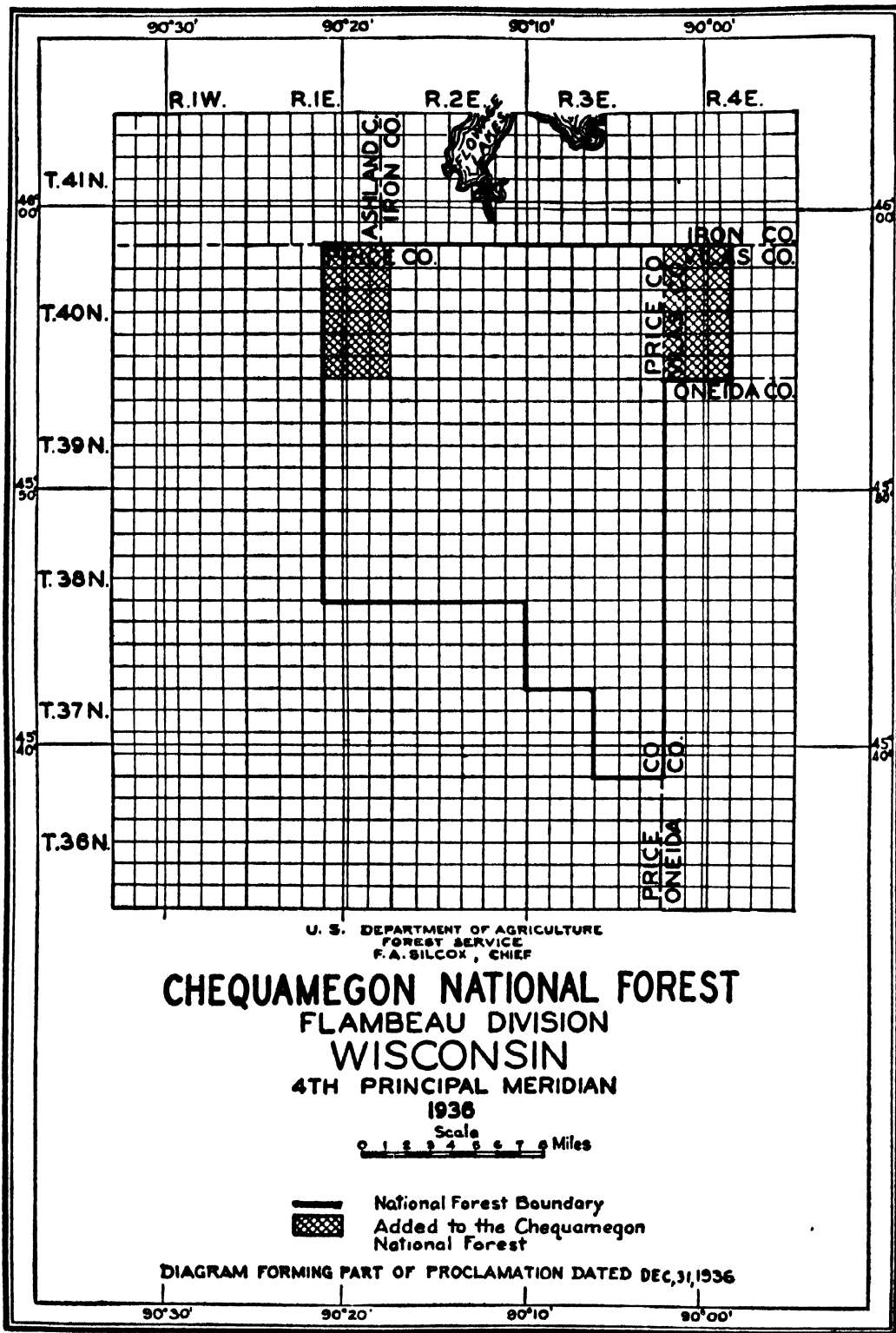
Chequamegon National Forest, Wis
Preamble
48 Stat. 1716

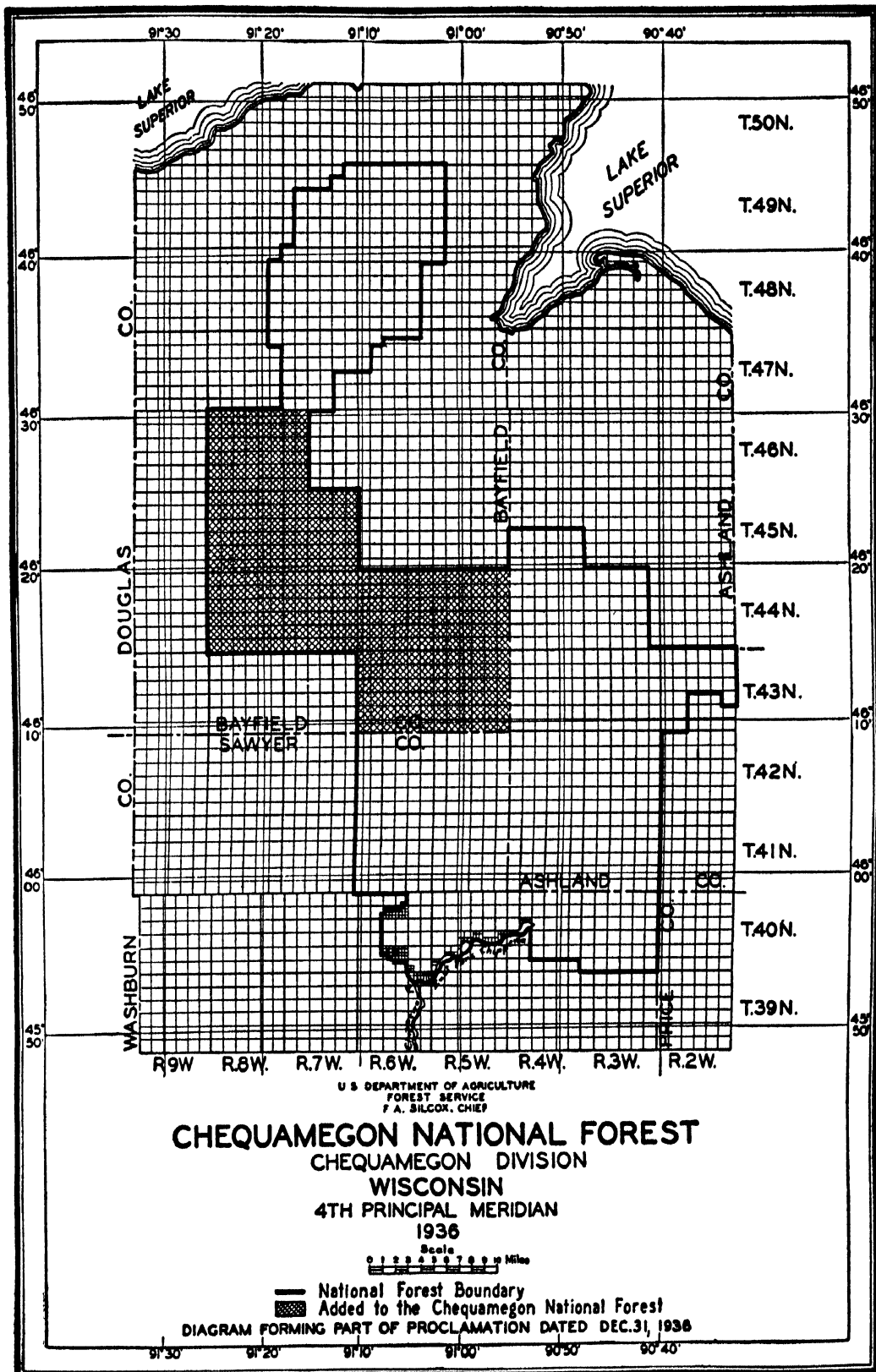
36 Stat 961, 43 Stat. 653
16 U. S. C. §§ 516, 515.

WHEREAS by proclamation of November 13, 1933 (48 Stat. 1716), there were set apart and reserved as the Chequamegon National Forest in the State of Wisconsin certain lands which had been, or might thereafter be, acquired by the United States of America under authority of the act of Congress approved March 1, 1911, ch. 186, 36 Stat. 961 (U. S. C., title 16, sec. 516), as amended by the act of June 7, 1924, ch. 348, 43 Stat. 653 (U. S. C., title 16, sec. 515), together with certain adjoining public lands; and

WHEREAS it appears that it would be in the public interest to modify the boundaries of the said national forest by including therein certain forest lands which have been, or may be, acquired under authority of the said acts of March 1, 1911, and June 7, 1924, and certain adjoining public lands, and by transferring to the said national forest the Mondeaux Division of the Nicolet National Forest:







NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power in me vested by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), the act of June 4, 1897, ch. 2, 30 Stat. 34, 36 (U. S. C., title 16, sec. 473), and section 11 of the said act of March 1, 1911, do proclaim (1) that all lands of the United States within the areas shown as additions on the diagrams attached hereto and made a part hereof are hereby included in and reserved as a part of the Chequamegon National Forest, (2) that all lands within such areas which may hereafter be acquired by the United States under the said acts of March 1, 1911, and June 7, 1924, shall upon acquisition of title thereto be reserved and administered as a part of the said Forest, and (3) that there is hereby transferred to the said Forest the Mondeaux Division of the Nicolet National Forest.

Boundaries modified.

26 Stat. 1103.
16 U. S. C. § 471.
30 Stat. 36.
16 U. S. C. § 473.
16 U. S. C. § 521.
Lands included.

Administration.

Mondeaux Division of Nicolet National Forest transferred to.

This proclamation and that modifying the boundaries of the Nicolet National Forest, which I have signed this same day, are made, and are intended to be and shall be considered, as one act and they shall become effective simultaneously.

Rights, etc., reserved.

The reservation made by this proclamation shall as to all lands which are at this date legally appropriated under the public-land laws or reserved for any public purpose other than classification, be subject to and shall not interfere with or defeat legal rights under such appropriation, or prevent the use for such public purpose of lands so reserved, so long as such appropriation is legally maintained or such reservation remains in force.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 31st day of December, in the year of our Lord nineteen hundred and thirty-six, and [SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

R. WALTON MOORE

Acting Secretary of State.

NICOLET NATIONAL FOREST—WISCONSIN

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

December 31, 1936
[No. 2219]

A PROCLAMATION

WHEREAS by proclamation of November 13, 1933 (48 Stat. 1715), there were set apart and reserved as the Nicolet National Forest in the State of Wisconsin certain lands which had been or might thereafter be acquired by the United States of America under authority of the act of Congress approved March 1, 1911, ch. 186, 36 Stat. 961 (U. S. C., title 16, sec. 516), as amended by the act of June 7, 1924, ch. 348, 43 Stat. 653 (U. S. C., title 16, sec. 515), together with certain adjoining public lands; and

Nicolet National Forest, Wis. Preamble. 48 Stat. 1715.

36 Stat. 961; 43 Stat. 653.
16 U. S. C. §§ 516, 515.

WHEREAS it appears that it would be in the public interest to modify the boundaries of the said national forest by including therein certain forest lands which have been, or may be, acquired under authority of the said acts of March 1, 1911, and June 7, 1924, and certain adjoining public lands, and by transferring the Mondeaux Division of the said national forest to the Chequamegon National Forest:

Boundaries modified.

26 Stat. 1103.
16 U. S. C. § 471.

30 Stat. 36.
16 U. S. C. § 473.
16 U. S. C. § 521.
Lands included.

Administration.

Mondeaux Division transferred to Chequamegon National Forest.
Ante, p. 1806.

Rights, etc., reserved.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power in me vested by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), the act of June 4, 1897, ch. 2, 30 Stat. 34, 36 (U. S. C., title 16, sec. 473), and section 11 of the said act of March 1, 1911, do proclaim (1) that all lands of the United States within the area shown as an addition on the diagram attached hereto and made a part hereof are hereby included in and reserved as a part of the Nicolet National Forest, and (2) that all lands within such area which may hereafter be acquired by the United States under the said acts of March 1, 1911, and June 7, 1924, shall upon acquisition of title thereto be reserved and administered as a part of said Forest, and (3) that the aforesaid Mondeaux Division is hereby transferred to the Chequamegon National Forest.

This proclamation and that modifying the boundaries of the Chequamegon National Forest, which I have signed this same day, are made, and are intended to be and shall be considered, as one act and they shall become effective simultaneously.

The reservation made by this proclamation shall as to all lands which are at this date legally appropriated under the public-land laws or reserved for any public purpose other than classification, be subject to and shall not interfere with or defeat legal rights under such appropriation, or prevent the use for such public purpose of lands so reserved, so long as such appropriation is legally maintained or such reservation remains in force.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 31st day of December, in the year of our Lord nineteen hundred and thirty-six, and [SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

R. WALTON MOORE
Acting Secretary of State.

OTTAWA NATIONAL FOREST—MICHIGAN

January 11, 1937

[No. 2220]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

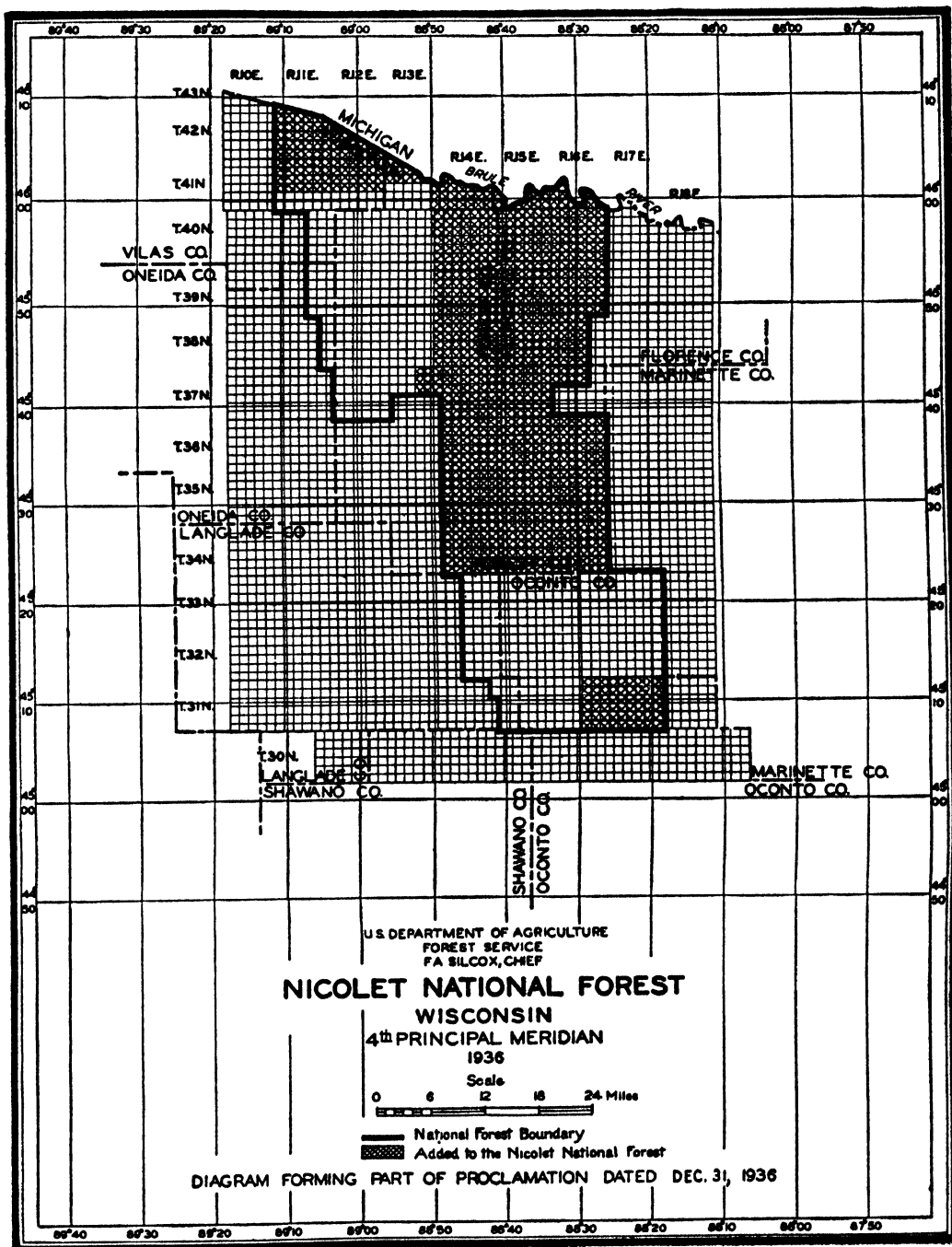
Ottawa National Forest, Mich.
Preamble.
46 Stat. 3044.

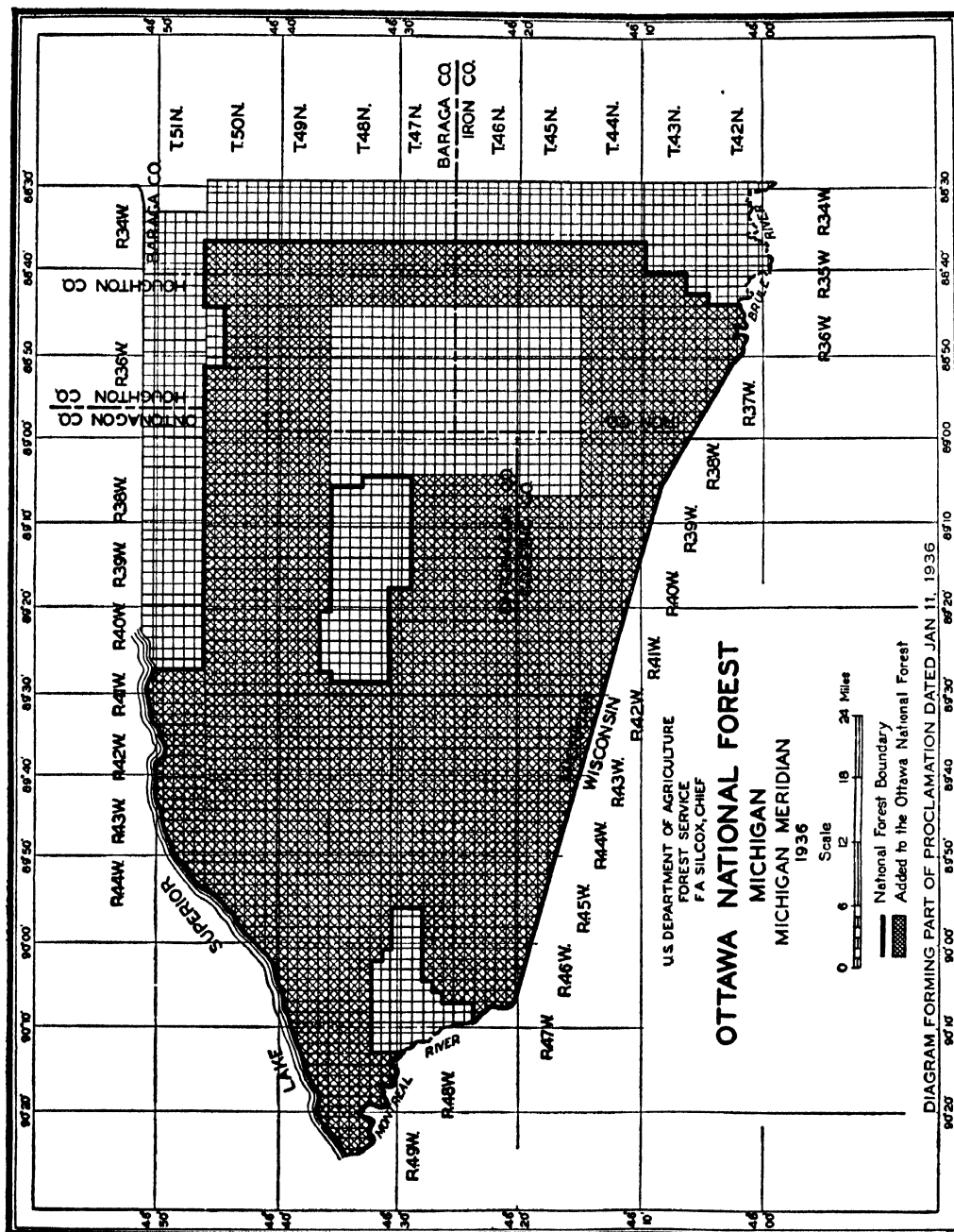
36 Stat. 961; 43 Stat. 653
16 U. S. C. §§ 515, 516.

WHEREAS by proclamation of January 27, 1931 (46 Stat. 3044), there were set apart and reserved as the Ottawa National Forest in the State of Michigan certain lands which had been, or might thereafter be, acquired by the United States of America under authority of the act of Congress approved March 1, 1911, ch. 186, 36 Stat. 961 (U. S. C., title 16, sec. 516), as amended by the act of June 7, 1924, ch. 348, 43 Stat. 653 (U. S. C., title 16, sec. 515), together with certain adjoining public lands; and

WHEREAS it appears that it would be in the public interest to modify the boundaries of the said national forest by including therein certain other forest lands which have been, or may be, acquired under authority of the said acts of March 1, 1911, and June 7, 1924, and the Emergency Relief Appropriation Act of 1935, approved April 8, 1935 (49 Stat. 115), and certain adjoining public lands:

49 Stat. 115.





NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power in me vested by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), the act of June 4, 1897, ch. 2 30 Stat. 34, 36 (U. S. C., title 16, sec. 473), section 11 of the said act of March 1, 1911, ch. 186, 36 Stat. 963 (U. S. C., title 16, sec. 521), and section 5 of the said Emergency Relief Appropriation Act of 1935 do proclaim that all lands of the United States within the areas shown as additions on the diagram attached hereto and made a part hereof are hereby included in and reserved as a part of the Ottawa National Forest, and that all lands within such areas which may hereafter be acquired by the United States under the said acts of March 1, 1911, and June 7, 1924, and the said Emergency Relief Appropriation Act of 1935 shall upon acquisition of title thereto be reserved and administered as a part of the said Forest.

The reservation made by this proclamation shall as to all lands which are at this date legally appropriated under the public-land laws or reserved for any public purpose other than for classification under Executive Orders No. 4430 of April 23, 1926, as modified, and No. 6964 of February 5, 1935, as amended, be subject to, and shall not interfere with or defeat, legal rights under such appropriation, or prevent the use for such public purpose of lands so reserved, so long as such appropriation is legally maintained or such reservation remains in force.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 11th day of January in the year of our Lord nineteen hundred and thirty-seven and
[SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

R. WALTON MOORE

Acting Secretary of State.

ZION NATIONAL MONUMENT—UTAH

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS certain public lands in the State of Utah contain volcanic phenomena of unusual scientific value, and have situated thereon various other objects of geological and scientific interest; and

WHEREAS it appears that it would be to the public interest to reserve such lands as a national monument, to be known as the Zion National Monument:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the act of June 8, 1906, ch. 3060, 34 Stat. 225 (U. S. C., title 16, sec. 431), do proclaim that, subject to all valid existing rights, the following-described lands in Utah are hereby reserved from all forms of appropriation under the public-land laws and set apart as the Zion National Monument:

SALT LAKE MERIDIAN

T. 39 S., R. 10 W., sec. 31, lots 4 to 14, and 19 to 30, inclusive.
T. 40 S., R. 10½ W., sec. 1 and unsurveyed fractional sec. 2.
T. 38 S., R. 11 W., secs. 31, 32 and 33

Boundaries modified.
26 Stat. 1103.
16 U. S. C. § 471.

30 Stat. 36.
16 U. S. C. § 473.
16 U. S. C. § 521.
49 Stat. 118

Administration.

Rights, etc., reserved

January 22, 1937
[No. 2221]

Zion National Monument, Utah
Preamble.

Reserving site for national monument.
34 Stat. 225.
16 U. S. C. § 431.

Description.

- T. 39 S., R. 11 W., secs. 4 to 9, and 16 to 21, inclusive, partly unsurveyed;
sec. 24, NE¼ and S½;
secs. 25 to 29, and 33 to 36, inclusive.
- T. 40 S., R. 11 W., secs. 2, 3, 4, 9, 10, 15, 16, 21, 22, 27, 28, 33 and 34.
- T. 41 S., R. 11 W., sec. 4;
sec. 5, E½;
sec. 8, NE¼;
secs. 9, 16 and 21.
- T. 38 S., R. 12 W., sec. 10, lots 3 to 10, inclusive;
sec. 11, S½;
sec. 12, S½;
secs. 13, 14 and 15;
sec. 21 E½;
secs. 22 to 28, inclusive;
sec. 29, lot 1 and lots 3 to 8, inclusive.
secs. 33 to 36, inclusive.
- T. 39 S., R. 12 W., secs. 1 to 4, and 9 to 15, inclusive, partly unsurveyed;
sec. 16, E½;
secs. 22, 23 and 24, partly unsurveyed, containing approximately 49,150 acres.

Warning against unauthorized acts.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

Supervision.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of this monument as provided in the act of Congress entitled "An Act To establish a National Park Service, and for other purposes", approved August 25, 1916 (ch. 408, 39 Stat. 535, U. S. C., title 16, secs. 1 and 2), and acts supplementary thereto or amendatory thereof.

39 Stat 535.
16 U. S. C. §§ 1, 2.

Designated Executive Orders superseded

The reservation made by this proclamation supersedes as to any of the above-described lands affected thereby the temporary withdrawals for classification and other purposes made by Executive Orders No. 5573 of March 7, 1931, and No. 6910 of November 26, 1934, as amended, and Executive Order of April 17, 1926, creating Public Water Reserve No. 107.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 22^d day of January, in the year of our Lord nineteen hundred and thirty-seven and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

CONTRIBUTIONS TO AMERICAN RED CROSS FOR FLOOD RELIEF

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

January 23, 1937
[No. 2222]

American Red Cross.

Disastrous floods in the Ohio and Mississippi River valleys already have driven 270,000 men, women and children from their homes.

There is every likelihood that until the crest of the flood waters is reached, this number of homeless refugees will be largely increased. Snow, sleet and freezing weather have added to the suffering and made more hazardous the work of rescue.

The victims of this grave disaster are dependent upon the American Red Cross for food, shelter, fuel, medical care and warm clothing. I have instructed the various agencies of the Federal Government to cooperate to the fullest extent with the Red Cross authorities.

In order that the Red Cross may meet these immediate emergency needs and continue to care for these unfortunates until the waters have receded and they can be returned to their homes, it is imperative that a minimum relief fund of two million dollars be raised as speedily as possible. We are looking to this great national relief agency to act as our representative in this emergency.

As President of the United States and as President of the American Red Cross, I am, therefore, urging all of our people to contribute promptly and most generously to this relief fund so that adequate relief may be made instantly available for these thousands of our homeless and suffering fellow citizens.

I am confident the response everywhere will be immediate and generous.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 23rd day of January, in the year of our Lord nineteen hundred and thirty-seven and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

Contributions to,
for flood relief, re-
quested.

EMERGENCY DUE TO FLOOD CONDITIONS—FREE IMPORTATION OF FOOD, CLOTHING, AND MEDICAL, SURGICAL AND OTHER SUPPLIES FOR USE IN EMERGENCY WORK

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

February 1, 1937
[No 2223]

A PROCLAMATION

WHEREAS there have recently occurred and are occurring disastrous floods in various localities in the valleys of the Ohio and Mississippi rivers and tributaries thereof, resulting in great loss of life and property and causing much sickness, suffering, and privation among the residents of the stricken localities, making it necessary for charitable, philanthropic, relief, and other organizations to extend aid on a large scale to the flood sufferers;

AND WHEREAS section 318 of the Tariff Act of 1930 (46 Stat. 696) provides:

"Whenever the President shall by proclamation declare an emergency to exist by reason of a state of war, or otherwise, he may authorize the Secretary of the Treasury to extend during the continuance of such emergency the time herein prescribed for the performance of any act, and may authorize the Secretary of the Treasury to permit, under such regulations as the Secretary of the Treasury may prescribe, the importation free of duty of food, clothing, and medical, surgical, and other supplies for use in emergency relief work. * * *";

Flood relief.
Preamble.

46 Stat. 696.
19 U. S. C. § 1318.

Statutory authori-
zation.

Emergency de-
clared.

Certain importa-
tions during, per-
mitted duty free
Post, p. 1838.

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States of America, acting under and by virtue of the authority vested in me by the foregoing provisions of section 318 of the Tariff Act of 1930, do by this proclamation declare an emergency to exist, and I do hereby authorize the Secretary of the Treasury to permit, during the continuance of such emergency (the termination of which will be determined by the President and declared by his Proclamation), within such limits and subject to such conditions as he may deem necessary to meet the emergency, the importation free of duty of such food, clothing, and medical, surgical, and other supplies as he may designate and under such regulations as he may prescribe, when imported for use in such emergency relief work.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 1st day of February in the year of our Lord nineteen hundred and thirty-seven, and
[SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

EMERGENCY BOARD, CHICAGO GREAT WESTERN RAILROAD (PATRICK H. JOYCE AND LUTHER M. WALTER, TRUSTEES)—EMPLOYEES

February 8, 1937
[No 2224]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Labor dispute, Chi-
cago Great Western
Railroad and certain
of its employees
Preamble.

WHEREAS, the President, having been duly notified by the National Mediation Board that a dispute between the Chicago Great Western Railroad (Patrick H. Joyce and Luther M. Walter, Trustees), a carrier, and certain of its employees represented by

Brotherhood of Locomotive Engineers,
Brotherhood of Locomotive Firemen and Enginemen,
Order of Railway Conductors,
Brotherhood of Railroad Trainmen,
Switchmen's Union of North America,

which dispute has not been heretofore adjusted under the provisions of the Railway Labor Act, amended, now threatens substantially to interrupt interstate commerce within the States of Illinois, Iowa, Minnesota, Missouri and Kansas, to a degree such as to deprive that section of the country of essential transportation service;

Emergency board
created to investigate
and report thereon
44 Stat. 586,
45 U. S. C. § 160.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by the Constitution and laws of the United States, and by virtue of and under the authority in me vested by Section 10 of the Railway Labor Act, amended, do hereby create a board to be composed of three persons not pecuniarily or otherwise interested in any organization of railway employees or any carrier, to investigate and report their findings to me within thirty days from this date.

Compensation, etc.

The members of this Board shall be compensated for and on account of such duties in the sum of seventy-five dollars for every day actually employed with or upon account of travel and duties incident to such board. The members will be reimbursed for and they are hereby authorized to make expenditures for expenses for themselves and of

the board, including traveling expenses and in conformity with Public No. 212, 72d Congress, Approved June 30, 1932, 11:30 a. m., not to exceed five (\$5.00) dollars per diem for expenses incurred for subsistence.

Traveling, etc., expenses.
47 Stat 405.
5 U. S. C. § 823.

All expenditures of the board shall be allowed and paid for out of the appropriation "Emergency Boards, Railway Labor Act, May 20, 1926, 1937" on the presentation of itemized vouchers properly approved by the chairman of the board hereby created.

Expenditures of the board.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 8th day of February in the year of our Lord nineteen hundred and thirty seven, and [SEAL] of the Independence of the United States of America the one hundred and sixty first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

GREEN MOUNTAIN NATIONAL FOREST—VERMONT

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

February 8, 1937
[No. 2225]

A PROCLAMATION

WHEREAS by proclamation of April 25, 1932 (47 Stat. 2509), there were set apart as the Green Mountain National Forest, in the State of Vermont, certain forest lands which had been, or might thereafter be, acquired by the United States of America under authority of the act of Congress approved March 1, 1911, ch. 186, 36 Stat. 961 (U. S. C., title 16, sec. 516), as amended by the act of June 7, 1924, ch. 348, 43 Stat. 653 (U. S. C., title 16, sec. 515); and

Green Mountain National Forest, Vt.
Preamble
47 Stat 2509.
36 Stat. 961, 43 Stat. 653
16 U. S. C. §§ 516, 515.

WHEREAS it appears that it would be in the public interest to modify the boundaries of the said National Forest by including therein certain other forest lands which have been, or may be, acquired under authority of the said acts of March 1, 1911, and June 7, 1924:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power in me vested by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), the act of June 4, 1897, ch. 2, 30 Stat. 34, 36 (U. S. C., title 16, sec. 473), and section 11 of the said act of March 1, 1911, do proclaim that all lands of the United States in the State of Vermont within the areas hereinafter described, are hereby included in and reserved as a part of the Green Mountain National Forest, and that all lands within such areas which may hereafter be acquired by the United States under the said acts of March 1, 1911, and June 7, 1924, shall upon acquisition of title thereto be reserved and administered as a part of the said National Forest:

Boundaries modified
26 Stat 1103.
16 U. S. C. § 471.
30 Stat 36.
16 U. S. C. § 473
16 U S C. § 521.
Lands included.

NORTHERN DIVISION

Beginning in the Village of Mendon at the point where the East Pittsford Road intersects U. S. Highway 4; thence with the East Pittsford Road to the intersection with the Chittenden Road; thence with the Chittenden Road to the intersection with the Old Dugway Road; thence with the Old Dugway Road to the intersection with the River Road; thence with the River Road to

Northern Division.

the North Chittenden Road in Chittenden Village; thence with the North Chittenden Road to its intersection with the River Road in North Chittenden Village; thence northerly with the River Road about 2 miles to the crossing of Furnace Brook; thence up Furnace Brook to a point where a small drain enters from the west; thence westerly up said small drain to its intersection with the Middle Road; thence with the Middle Road to the intersection with State Highway 115 and the North Road at Goshen Four Corners; thence leaving State Highway 115 with the North Road in northerly and southwesterly directions to its reintersection with State Highway 115 approximately $1\frac{1}{2}$ miles west of Goshen Four Corners; thence with State Highway 115 to the intersection with the School House Hill Road in Forestdale Village; thence with the School House Hill Road to the intersection with State Highway 53; thence with State Highway 53 to the intersection with the Fern Lake Road; thence with the Fern Lake Road to the south end of Fern Lake; thence with the easterly shore of Fern Lake to a northeasterly cove in Fern Lake; thence N 26° E, true meridian, approximately 20 chains to a southeasterly cove of Lake Dunmore; thence with the easterly shore of Lake Dunmore to a cove south of Keewaydin Camps where State Highway 53 borders the east shore of Lake Dunmore; thence with State Highway 53 to the intersection with the East Middlebury Road; thence with the East Middlebury Road to the intersection with the Ripton Road; thence with the Ripton Road to intersection with the old Pratt Hill Road; thence with the old Pratt Hill Road to the intersection with the East Middlebury Road; thence with the East Middlebury Road to the intersection with Middlebury River; thence up Middlebury River to the East Middlebury-Hancock Road; thence westerly with the East Middlebury-Hancock Road to the intersection with School Street in East Middlebury Village; thence northerly with School Street and School Street extended to Fay's Corner; thence westerly with an east and west road from Fay's Corner to the intersection with State Highway 116; thence with State Highway 116 to the intersection with the Little Notch Road; thence with the Little Notch Road to the intersection with a north and south road, also known as the Little Notch Road, and which is the most easterly road at the foot of the mountains; thence with this most easterly road to the intersection with River Street in Bristol Village; thence with River Street to River Street Bridge over the New Haven River; thence with the New Haven River to the Gove Hill Road Bridge in West Lincoln; thence with the Gove Hill Road to the intersection with the West Hill Road; thence with the West Hill Road to the intersection with the Ripton-Lincoln Road; thence with the Ripton-Lincoln Road to the intersection with the most southerly road to South Lincoln; thence with the most southerly South Lincoln Road to the intersection with the Lincoln-South Lincoln Road; thence with the Lincoln-South Lincoln Road to the intersection with a north and south cross road from South Lincoln Village to Lincoln-Warren Road; thence with said cross road to its intersection with the Lincoln-Warren Road; thence with the Lincoln-Warren Road to its intersection with the Old Downingville Road; thence with the old Downingville Road to its intersection at Downingville with the Jerusalem Road; thence with the Jerusalem Road to its intersection with the north line of the Town of Lincoln; thence easterly with the north line of the Town of Lincoln and the north line of the Town of Warren to the intersection with the German Flats Road; thence with German Flats Road and the Grand Hollow Road to

the intersection of the Grand Hollow Road with State Highway 100; thence with State Highway 100 to the crossing of Mad River in Warren Village; thence up Mad River to its intersection with the Warren-Granville Town Line, which is also the Washington-Addison County Line and the north boundary of the Granville Gulf State Forest; thence with the north, west and south boundaries of said State Forest to the intersection with State Highway 100; thence with State Highway 100 to the intersection with Alder Meadow Brook in Granville Village; thence down Alder Meadow Brook to its junction with White River; thence with White River and State Highway 100, whichever is the most westerly, to the intersection of White River with State Highway 115; thence with State Highway 115 to the intersection with Calkin's Road; thence with Calkin's Road to the intersection with White River; thence with White River to the intersection with State Highway 100; thence with State Highway 100 to the intersection in Pittsfield Village with the Upper Michigan Road; thence with the Upper Michigan Road to the intersection with a short cross road; thence with said cross road to the intersection with the Lower Michigan Road; thence with the Lower Michigan Road to the intersection with State Highway 100; thence with State Highway 100 to the intersection with U. S. Highway 4; thence with U. S. Highway 4 to place of BEGINNING.

SOUTHERN DIVISION

Southern Division.

Beginning at the point where U. S. Highway 7 crosses the Vermont-Massachusetts State Line; thence with U. S. Highway 7 to the intersection with the Old County Road in Pownal; thence with the Old County Road to the intersection with U. S. Highway 7 in Pownal Center; thence with U. S. Highway 7 to the intersection with the Barber Pond Road in Pownal Center; thence with the Barber Pond Road to the intersection with the Stamford and East Roads; thence with the East Road, which is the most easterly through road along the base of the mountain, to the intersection with the Gore Road at the Blair Farm; thence with the Gore Road to the intersection with the Burgess Fair Ground Road; thence with the Burgess Fair Ground Road to the intersection with the Barney Road; thence with the Barney Road to the intersection with State Route 9; thence with State Route 9 to Furnace Bridge over Walloomsac Brook; thence with the Walloomsac Brook to the intersection with Branch Street in the Village of Bennington; thence with Branch Street extended in the Brooklyn Section of Bennington, and with East Road beyond the village limits of Bennington to the intersection near the Wait Farm, with a more westerly road also known as East Road; thence with the East Road to the intersection with the Straight Road; thence with the Straight Road to the intersection with East Road at Snow School; thence with the East Road to the intersection with the East Arlington Road; thence with the East Arlington Road to the intersection with Church Street in East Arlington; thence with Church Street to the intersection with Kelly Stand Road; thence with Kelly Stand Road to the intersection with North Road near Roaring Branch Bridge at East Kansas; thence with North Road to the intersection with River Street and the Old Stage Road in Sunderland; thence with the Old Stage Road to the intersection with the Sunderland-Richfield Road in Sunderland; thence with the Sunderland-Richfield Road to intersection with the Rutland Railway; thence with the Rutland Railway to the intersection with the Richfield Road; thence with the

Richfield Road to the intersection with an unnamed street in Richfield which borders on Bushee Farm; thence in part with the unnamed street and in part with an abandoned road to the intersection with C. F. Bartlett Road; thence with C. F. Bartlett Road to the intersection with State Route 30; thence with State Route 30 to the intersection with the Rutland Railway near Manchester Depot; thence with the Rutland Railway and U. S. Highway 7, whichever is more easterly, to the intersection with the Hartsboro Road; thence with the Hartsboro Road to the intersection with the Ice-bed Road; thence with the Ice-bed Road to the intersection with State Highway 103A; thence with State Highway 103A to the intersection with State Highway 103; thence with State Highway 103 to the intersection with State Highway 8; thence with State Highway 8 to the intersection with the Back Road; thence with the Back Road, west of and parallel to State Highway 8, to the forks of the road near Benson's Mill; thence with an old road on the west side of West River to the intersection with the Weston-Peru Road; thence with the Weston-Peru Road to the intersection with the Landgrove Road; thence with the Landgrove Road to the first fork of the road south of North Landgrove (locally known as Clarksville); thence with the more easterly road to its fork; thence with the more westerly road to the intersection with State Highway 11; thence south 4 degrees west approximately 1.9 miles to the Winhall Hollow Road at its junction approximately 1.6 miles northwest of South Londonderry Village, with an old settlement road leading to State Highway 11; thence with the Winhall Hollow Road to the intersection with the Bondville Road; thence with the Bondville Road to the intersection with State Route 30 in Bondville; thence with State Route 30 to the intersection with the Winhall Station Road in Rawsonville; thence with the Winhall Station Road to the intersection with the abandoned Central Vermont Railway at Winhall Station; thence with the Central Vermont Railway to the intersection with Station Street in Jamaica Village; thence with Station Street to the intersection with Brook Street; thence with Brook Street to the intersection with State Route 30; thence with State Route 30 to the intersection with River Road at French Bridge over West River; thence with the River Road to intersection with State Route 8 at East Jamaica; thence with State Route 8 to the intersection with the South Wardsboro Road in Wardsboro; thence with the South Wardsboro Road to the intersection with the South Wardsboro School Road in South Wardsboro; thence with the South Wardsboro School Road about 0.6 miles to the intersection with an old road at a barway; thence with the old road which is in part abandoned but rock walled and in part a farm road to the intersection with the Rock River and West Dover Roads; thence with the West Dover Road about one-half mile to the intersection with a back road; thence with the back road to the intersection with the West Dover Road; thence with the West Dover Road to the intersection with State Route 8 in West Dover; thence with State Route 8 to the intersection with the Handle Road near the headwaters of Blue Brook; thence with the Handle Road to intersection with the Perley Symester Farm Road; thence with the Perley Symester Farm Road to the intersection with the Ray Hill Road; thence with the Ray Hill Road to the intersection with State Route 9; thence with State Route 9 to a point on said route north of the intersection of Deerfield River with the flow line of Whitingham Lake; thence south to the intersection of Deerfield River with the flow line of Whitingham Lake; thence with the

flow line around the west side of Whitingham Lake to the intersection with State Route 8 near the village of Whitingham; thence with State Route 8 to the intersection with the most westerly road to Rowe, Massachusetts; thence with the most westerly road to Rowe to the intersection with a logging road about three tenths of a mile beyond the first farmhouse on the left; thence with the logging road to the Vermont-Massachusetts State line; thence with the Vermont-Massachusetts State Line to the BEGINNING.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this eighth day of February in the year of our Lord nineteen hundred and thirty-seven
[SEAL] and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL
Secretary of State.

ENLARGING THE MONTEZUMA CASTLE NATIONAL MONUMENT—
ARIZONA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

February 23, 1937
[No. 2226]

A PROCLAMATION

WHEREAS the area in the State of Arizona established as the Montezuma Castle National Monument by Proclamation of December 8, 1906, has situated thereon prehistoric ruins and ancient cliff dwellings which are of great interest to the public; and

Montezuma Castle
National Monument,
Ariz.
Preamble
34 Stat. 3265.

WHEREAS it appears that there are certain government-owned lands reserved by Proclamation of September 29, 1919, as a part of Coconino National Forest, adjacent to the boundaries of the said monument, which are required for the proper care, management, and protection of the said prehistoric ruins and ancient cliff dwellings:

41 Stat. 1770.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 1 of the act of June 4, 1897, ch. 2, 30 Stat. 11, 36 (U. S. C., title 16, sec. 473), and section 2 of the act of June 8, 1906, ch. 3060, 34 Stat. 225 (U. S. C., title 16, sec. 431), do proclaim that, subject to all valid existing rights, the following-described lands in Arizona are hereby excluded from the Coconino National Forest and reserved from all forms of appropriation under the public-land laws and added to and made a part of the Montezuma Castle National Monument:

Area enlarged.

30 Stat. 36
16 U. S. C. § 473
34 Stat. 225
16 U. S. C. § 431.

Portion of Coconino National Forest transferred to.

GILA AND SALT RIVER MERIDIAN

Description.

T. 14 N., R. 5 E., sec. 8, S $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$;
sec. 16, E $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$;
sec. 17, N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, containing 360 acres.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

Warning against unauthorized acts

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management,

Supervision.

39 Stat. 535
16 U. S. C. §§ 1, 2

Proviso.
Withdrawal for Salt
River Irrigation Proj-
ect, Ariz

and control of this monument as provided in the act of Congress entitled "An Act To establish a National Park Service, and for other purposes", approved August 23, 1916 (ch. 408, 39 Stat. 535, U. S. C., title 16, secs. 1 and 2), and acts supplementary thereto or amendatory thereof: *Provided*, that the administration of the monument shall be subject to the withdrawal for the Salt River Irrigation project, Arizona.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 23^d day of February in the year of our Lord nineteen hundred and thirty-seven and
[SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL

The Secretary of State.

CUMBERLAND NATIONAL FOREST—KENTUCKY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

February 23, 1937
[No. 2227]

Cumberland National Forest, Ky
Preamble
Statutory authori-
zation
36 Stat. 962,
16 U. S. C. §§ 515,
516

Reserving, etc., des-
ignated lands for na-
tional forest

26 Stat. 1103
16 U. S. C. § 471
36 Stat. 963
16 U. S. C. § 521

Description.

WHEREAS certain forest lands within the State of Kentucky have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, sections 515, 516); and

WHEREAS it appears that it would be in the public interest to reserve and designate such lands as the Cumberland National Forest:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, section 471), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, section 521), do proclaim that there are hereby reserved and set apart as the Cumberland National Forest all lands of the United States within the following-described area, and that all lands therein which may hereafter be acquired by the United States under authority of said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Cumberland National Forest:

Beginning at a point where the Southern Railroad crosses the Kentucky-Tennessee State line at Jellico, Tennessee; thence with the Kentucky-Tennessee State line in a westerly direction to where the Little South Fork of the Cumberland River crosses said line; thence down Little South Fork to the South Fork; thence down South Fork to the mouth of Cain Branch on the north side of the Martin Bend; thence up said Branch to a point in road about one-fourth of a mile southeast of Grace Hill Church; thence along road passing Grace Hill Church to United States Highway No. 27; thence easterly along said highway to Sugar Tree Road; thence along said road to Sugar Tree Hollow; thence down said Hollow to Cumberland River; thence up said River to the mouth of Baker Spring Creek; thence up said Creek to point in Dixie-Haynes Road near Dixie School; thence along said road to Ford across Cumberland River at a point between Dixie and Haynes Bends; thence up said River to the mouth of Buck Creek; thence

up said Creek to the mouth of Whetstone Creek; thence up Whetstone Creek to a point in Whetstone road near head of said Creek and about one-half of a mile south of Acorn, Kentucky; thence along said road to Mount Victory-Acorn road; thence along last named road passing Acorn, Kentucky, to State Highway No. 80; thence along said highway in a northeasterly direction about two and one-half miles to Conrard-Squibb road; thence along said road to Conrard, Kentucky; thence along a road leading northerly, crossing Line Creek, to and up Buffalo Creek, and crossing West Fork of Skagg Creek to the East Fork of Skagg Creek at a point in road about one-half mile above its junction with the West Fork thereof; thence along road up said East Fork about three and three-fourth miles to junction of roads at forks of said Creek; thence along road northeasterly to U. S. Highway No. 25 at Pine Hill, Kentucky; thence along said Highway to the Brush Creek road which leads to Orlando, Kentucky; thence along said road to the Louisville & Nashville Railroad at the junction of Brush and Roundstone Creeks; thence along said railroad to Langford road a point about one-fourth of a mile north of Langford, Kentucky; thence along said road to Clear Creek road; thence along said road to Lowman Hill road a point about one-fourth of a mile north of Disputanta, Kentucky; thence along Lowman Hill road to Climax-Three Links Road; thence along said road to Old Jackson Road; thence along said road to Pine Grove road; thence along said road to Clover Bottom road; thence along said road to State Highway No. 21; thence along said State Highway to Dry Fork road; thence along said road to Brazil-Kerby Knob road; thence along said road to Kerby Knob, Kentucky; thence with a road leading northwesterly to the headwaters of Rock Lick Creek, and northeasterly to the headwaters of Shirley Branch, to the road paralleling Red Lick Creek; thence along said road, to the second crossing of Nellie Henderson Branch near its mouth; thence along the foot of the hill on the southeast side of Red Lick Creek to bend in a road about one-fourth mile south of the mouth of Red Lick Creek; thence along said road, crossing Middle Fork of Station Camp Creek, to a point in curve of road about one-eighth of a mile southwest of where said road crosses Station Camp Creek; thence along the foot of the hill on the west side of Station Camp Creek to a point opposite and about one-half mile west of the mouth of Searcy Creek; thence a straight line to a point where Station Camp Creek road crosses Searcy Creek near its mouth; thence along said road, crossing Jones Branch to River Road a point near South Irvine School; thence along said road, crossing Little and Big Doe Creeks, to the Kentucky River; thence northeasterly along a road crossing Kentucky River near the mouth of Buck Creek, to Pryce, Kentucky; thence along Pryce Road crossing Miller Creek to State Highway No. 52; thence along said highway about three-fourths of a mile to a road leading southwesterly; thence along said road, passing Millers Creek, Kentucky, to Cow Creek near its mouth; thence up Cow Creek to State Highway No. 52; thence along said highway in a northeasterly direction about one-half mile to Old Cow Creek Road; thence along said road, crossing Cow Creek, Cottage Fork and Campbell Fork to the corporate limits of Irvine, Kentucky; thence with the corporate limits thereof to brow of mountain; thence along brow of mountain overlooking Irvine, Kentucky, and around head of Sweet Lick Branch to a point opposite and northeast of the junction of Sweet Lick Branch and White Oak Creek; thence along divide between said streams to a point on State Highway No. 89; thence along

said highway to road up White Oak Creek; thence along road, up White Oak Creek, down Little Hardwick Creek, and up Hardwick Creek to Estill Furnace, Kentucky; thence northerly along road down Cat Creek to State Highway No. 15 near mouth of Cat Creek; thence along said highway to Middle Fork Road about one-fourth of a mile east of Cow Creek; thence along said road, crossing South Fork of Red River, to a road near the Louisville and Nashville Railroad; thence along said road and up Red River to a point opposite the mouth of Dunwoody Branch; thence along the foot of the hill on the south side of Red River to a point opposite the mouth of Spaas Creek; thence a straight line to a point where road crosses Spaas Creek near its mouth; thence along said road down Red River, crossing Short Creek, Dunwoody Branch and Cane Creek to forks of road on west side of Cane Creek; thence along Cane Creek road to forks of road; thence along Right Fork of Cane Creek road to Hawkins Branch; thence easterly along a road up Hawkins Branch to Fagan, Kentucky; thence along a road down Leatherwood Fork to Leatherwood School; thence along Indian Creek road passing Tabor, Kentucky, to State Highway No. 40, about one and one-fourth miles west of Frenchburg, Kentucky; thence along said highway about two and one-half miles to Old State road leading westerly; thence along said road to Slate Fork; thence along a road up Slate Fork, crossing East Fork, to head of and down Mill Creek and up hill to forks of road on divide between Mill Creek and Blue Bank Creek; thence along road to Blue Bank Creek; thence down Blue Bank Creek passing the mouth of Pond Lick Branch, to a branch coming into said creek from the southeast about one mile south of the Chesapeake and Ohio Railroad; thence along the height of land, crossing the Chesapeake and Ohio Railroad about one and one-eighth miles west of Olympia, Kentucky, and crossing State Highway No. 36 about one mile northwest of Olympia, Kentucky, to the forks of Rose Run; thence down said run about one-half mile to a bend in same; thence along the height of land of Flood Mountain to U. S. Highway No. 60 about one and one-fourth miles northwest of Salt Lick, Kentucky; thence along said highway to Salt Lick Creek; thence up Salt Lick Creek to the Chesapeake and Ohio Railroad; thence along said railroad to Midland, Kentucky; thence along Midland-Yale road up Licking River to a point about one-fourth of a mile west of Hog Hollow; thence a straight line north, crossing Licking River, to a point in road at Carey School; thence northerly along said road to U. S. Highway No. 60 at Farmers, Kentucky; thence along said highway, crossing East Fork of Triplett Creek to Bluestone, Kentucky; thence along the North Fork Triplett road to State Highway No. 32; thence crossing said highway northeasterly along the old North Fork Triplett road to Kiser Branch; thence crossing said branch and along the Martins Branch road to the North Fork Triplett road; thence along said road to Old Johnson road; thence along said road to Johnson Branch; thence along the lower slope east of Big Brushy Creek to Humphrey Branch about one-fourth of a mile above its mouth; thence a straight line to Big Brushy road at the mouth of Colt Branch; thence along said road to Brushy-Cane Creek road; thence with said road to the Fleming-Rowan County line a point near U. S. G. S. Triangulation Station Sand; thence along the Rowan-Fleming, Rowan-Lewis and Rowan-Carter County lines to a point on Rowan-Carter County line between the heads of Holly Fork and Hays Branch; thence along the divide between Holly Fork and Hays Branch, and Little Perry Branch and Hays Branch, to East Fork of Triplett Creek

about one-half mile west of Hayes, Kentucky; thence up East Fork of Triplett Creek to the mouth of Buffalo Branch; thence along road, up Buffalo Branch and down Patties Lick Branch to State Highway No. 32; thence along said highway to Vale, Kentucky; thence along road up Walker Branch to ridge and along ridge to Crix Ridge road; thence along said road to Wagoner road; thence along said road to Minor-Poplar Grove road; thence along said road crossing Minor Creek to State Highway No. 173; thence southerly with said highway to Blairs Mills Road a point on the Rowan-Elliott County line at the head of Devils Creek; thence along said road to Blairs Mills Station (Leisure P. O.) Kentucky; thence along a road crossing North Fork of Licking River to Yocum Creek road at Blaize, Kentucky; thence along said road to Caudill Ridge road at Zag, Kentucky; thence along said road to Licking River; thence along a road crossing Licking River at Blackwater Ford to Dan Ridge Road at Dan, Kentucky; thence along said road to State Highway No. 40 at Wellington, Kentucky; thence along said highway to a road leading southerly along Lothan Branch; thence along road down and east of Lothan Branch to Mill Fork Branch; thence down Mill Fork Branch to the cliffs; thence along cliffs east of Mill Fork Branch, around Goss Fork and east of Hiram Brown Branch to a road near the head of Hiram Brown Branch; thence along said road on divide to forks of road near head of Osborne Branch; thence along road to cliffs near the head of Osborne Branch; thence along cliffs east of Osborne Branch and north of Clifty Creek to a point about one-fourth of a mile southwest of Piney Branch; thence crossing Clifty Creek and along the cliffs to the south thereof to a point in road near the head of Solomon Branch; thence along road to the Tut Ford (across Red River); thence crossing Red River and along Calaboose road, passing Calaboose School to Swift Camp Creek about one and one-half miles north of Campton, Kentucky; thence southerly along a road crossing Page Branch about one-half mile to Duff Ridge Road; thence with said road to a point on State Highway No. 15 about two and one-half miles northwest of Campton, Kentucky; thence along said highway to its intersection with State Highway No. 11 near Pine Ridge, Kentucky; thence along Highway No. 11 to a point over the tunnel of the Louisville and Nashville Railroad at Torrent, Kentucky; thence along the Louisville and Nashville Railroad to Fincastle, Kentucky; thence along Fincastle road, passing Shumaker School and crossing Hell Creek to State Highway No. 11; thence along said highway to its junction with State Highway No. 52 at Beattyville, Kentucky; thence along Highway No. 52 about one mile to road down a hollow; thence along said road to Kentucky River; thence up said River to Kentucky State Highway No. 11 at forks of River; thence along said highway to Heidelberg road leading to Idamay, Kentucky; thence along said road, passing Idamay, and down Duck Fork to Sturgeon Creek; thence up Sturgeon Creek to a point about one-fourth of a mile above the mouth of Travis Creek; thence along the divide between Travis Creek on the north and Grassy Creek on the south to a point in Brushy Mountain road along north and south divide; thence along said road to point in intersection of Old Jack Branch road about three-fourths of a mile south of Nantz Triangulation Station; thence along said road crossing Warfork Creek and passing Smith School to State Highway No. 21 near Bradshaw, Kentucky; thence along said highway, passing Gray Hawk, Kentucky, to Old Gray Hawk-Annville road; thence along said road to Gray Hawk-Vicker's road; thence southwesterly along said road to McKee-Annville

road; thence along said road to Letter Box road a point near Dabolt, Kentucky; thence along said road to crossroads at Parrott, Kentucky; thence westerly along road down Black Lick to South Fork of Rockcastle River; thence down said South Fork to its junction with the Middle Fork of Rockcastle River; thence down Rockcastle River to old State road a point on the Old Crewe's Ferry Crossing; thence along said road to Mershons, Kentucky a point on U. S. Highway No. 25; thence southerly along said highway to Old Livingston road; thence westerly about one and one-half miles along said road to a road leading south; thence southerly with said road to Arthur Ridge road a point near Hazelpatch Creek; thence along said road crossing Hazelpatch Creek to Jonson Ridge road; thence along said road to Crab Orchard road; thence along said road to Gillis Branch road; thence along said road to Camper road; thence along said road to State Highway No. 80 at Bernstadt, Kentucky; thence easterly along said highway to Highmore road a point near Dees Store; thence along said road to Sinking Creek road; thence along said road to Abutment road a point near Pine Top School; thence along said road to Sublimity road a point near Benges Store; thence along said road to a point where the center of said road crosses the Castle Craig Coal Company Tract 1520-II on the line between corners 4 and 5 at 0.45 chains S 40°30' E of corner 4 of said tract; thence with the eastern boundary of tract 1520-II and meanders thereof S 40°30' E 3.32 chains to corner 5; thence S 31°00' W 14.18 chains to corner 6; thence S 22°00' W 6.52 chains to corner 1 which is also corner 1 of the Castle Craig Coal Company tract 1520-I; thence with part of the boundary of said tract and meanders thereof S 57°30' E 1.15 chains to corner 2; thence S 27°15' W 4.67 chains to corner 3; thence S 51°00' W 3.96 chains to corner 4; thence N 40°45' W 0.54 chains to center of Sublimity road; thence along said road to Corbin-Somerset road; thence along said road to Old Sinking-Woodbine (old Burton road) road; thence with said road passing Bartons Mill to Scuffletown road; thence with said road to State Highway No. 90; thence along said highway to Old Cumberland Falls road; thence along said road to Devils Creek road; thence along said road to Henry Young road; thence along said road to State Highway No. 90; thence easterly along said highway about one-eighth of a mile to Redbird Lane; thence along Redbird Lane to Redbird Bridge across Cumberland River; thence along Redbird Road to a point in forks of road about one-half mile northwest of Williamsburg, Kentucky; thence along road to State Highway No. 92; thence along said highway to spur railroad leading to Bon Jellico, Kentucky; thence along said railroad to the Louisville and Nashville railroad about one and one-fourth miles south of Williamsburg, Kentucky; thence along the Louisville and Nashville railroad to the Southern railroad; thence along the Southern railroad to the BEGINNING.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington, this 23^d day of February in the year of our Lord nineteen hundred and thirty-seven and [SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State

ENLARGING THE DEATH VALLEY NATIONAL MONUMENT—CALIFORNIA
AND NEVADA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

March 26, 1937
[No. 2228]

A PROCLAMATION

WHEREAS certain public lands contiguous to the Death Valley National Monument, established by the Proclamation of February 11, 1933 (47 Stat. 2554), have situated thereon various objects of historic and scientific interest, and are necessary for the proper care, management and protection of unusual features of scientific interest within the said monument; and

Death Valley National Monument,
Calif and Nev.
Preamble
47 Stat 2554

WHEREAS it appears that it would be in the public interest to reserve such lands as an addition to the Death Valley National Monument:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the Act of June 8, 1906 (ch. 3060, 34 Stat. 225; U. S. C. title 16 sec. 431), do proclaim that, subject to the provisions of the Act of Congress approved June 13, 1933 (48 Stat. 139), and to all valid existing rights, the following described lands in California and Nevada be, and the same are hereby added to and made a part of the Death Valley National Monument:

Area enlarged.

34 Stat 225.
16 U. S. C § 431
48 Stat 139
16 U. S. C § 447

Description.

MOUNT DIABLO MERIDIAN—CALIFORNIA

- T. 18 S., R. 44 E.,
that part southwest of former west boundary of Monument (unsurveyed).
- T. 19 S., R. 44 E.,
that part southwest of former west boundary of Monument (unsurveyed).
- T. 19 S., R. 45 E.,
that part southwest of former west boundary of Monument.
- T. 20 S., R. 45 E.,
that part west of former west boundary of Monument.

SAN BERNARDINO MERIDIAN—CALIFORNIA

- T. 25 N., R. 3 E.,
those parts of secs. 5, 8, 16 and 17 lying southwest of a line parallel to and 500 ft. northeasterly from the center line of Dante's View highway.
- T. 18 N., R. 4 E.,
secs. 1 to 12, inclusive; N½ sec. 13; N½ sec. 14; N½ sec. 15; N½ sec. 16; N½ sec. 17; N½ sec. 18 (partly unsurveyed).
- Tps. 19, 20 and 21 N., R. 4 E.
(partly unsurveyed).
- T. 22 N., R. 4 E.,
secs. 31 to 36, inclusive (partly unsurveyed).
- T. 18 N., R. 5 E.,
secs. 1 to 12, inclusive; N½ sec. 13; N½ sec. 14; N½ sec. 15; N½ sec. 16; N½ sec. 17, N½ sec. 18 (partly unsurveyed).
- T. 19 N., R. 5 E.
(partly unsurveyed).
- T. 20 N., R. 5 E.,
secs. 25 to 36, inclusive (unsurveyed).

- T. 18 N., R. 6 E.,
W½ sec. 5; secs. 6 and 7; W½ sec. 8; NW¼ sec. 17, N½
sec. 18 (partly unsurveyed).
T. 19 N., R. 6 E.,
W½ sec. 5; secs. 6 and 7; W½ sec. 8; W½ sec. 17; secs. 18
and 19; W½ sec. 20; W½ sec. 29; secs. 30 and 31; W½
sec. 32 (unsurveyed).
T. 20 N., R. 6 E.,
W½ sec. 29; secs. 30 and 31; W½ sec. 32 (unsurveyed).

MOUNT DIABLO MERIDIAN—NEVADA

- T. 11 S., R. 42 E., (unsurveyed).
Tps. 11 and 12 S., R. 43 E. (unsurveyed).
Tps. 11, 12 and 13 S., R. 44 E. (unsurveyed).
Tps. 11, 12, 13 and 14 S., R. 45 E. (partly unsurveyed),
containing approximately 305,920 acres.

Warning against un-
authorized acts

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

Supervision.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of the monument as provided in the act of Congress entitled "An Act To establish a National Park Service, and for other purposes," approved August 25, 1916 (ch. 408, 39 Stat. 535, U. S. C. title 16, secs. 1 and 2), and acts supplementary thereto or amendatory thereof.

39 Stat. 535.
16 U. S. C. §§ 1, 2.

Certain Executive
orders superseded.

The reservation made by this proclamation supersedes as to any of the above-described lands affected thereby the withdrawal made by Executive Order No. 6910 of November 26, 1934, as amended, and Executive Order of December 1, 1913, creating Public Water Reserve No. 13.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 26th day of March, in the year of our Lord nineteen hundred and thirty-seven and [SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

The President,
CORDELL HULL
Secretary of State.

ARMY DAY

March 29, 1937
[No. 2229]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS Senate Concurrent Resolution 5, 75th Congress, 1st Session, provides:

"That April 6 of each year be recognized by the Senate and House of Representatives of the United States of America as Army Day, and that the President of the United States be requested, as Commander in Chief, to order military units throughout the United States to assist civic bodies in appropriate celebration to such extent as he may deem advisable;

Army Day.
Preamble.
Ante, p. 1108.

Annual recognition
provided for.

to issue a proclamation each year declaring April 6 as Army Day, and in such proclamations to invite the Governors of the various States to issue Army Day proclamations: *Provided*, That in the event April 6 falls on Sunday, the following Monday shall be recognized as Army Day."

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, pursuant to the above Concurrent Resolution, do hereby declare April 6, 1937, Army Day, and I invite the Governors of the several States to issue Army Day proclamations; and, acting under the authority vested in me as Commander in Chief, I order military units throughout the United States, its Territories and possessions, to assist civic bodies in the appropriate observance of that day.

April 6, 1937, to be observed as.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this 29th day of March, in the year of our Lord nineteen hundred and thirty-seven, and [SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

ENLARGING THE TONTO NATIONAL MONUMENT—ARIZONA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

April 1, 1937
[No 2230]

A PROCLAMATION

WHEREAS the area in the State of Arizona established as the Tonto National Monument by Proclamation of December 19, 1907, has situated thereon prehistoric ruins and ancient cliff dwellings which are of great ethnologic, scientific, and educational interest to the public; and

Tonto National Monument, Ariz.
Preamble.
35 Stat 2168.

WHEREAS it appears that there are certain government-owned lands reserved by Proclamation of January 13, 1908, as a part of the Tonto National Forest, adjacent to the boundaries of the said monument, which are required for the proper care, management, and protection of the said historic ruins and ancient cliff dwellings:

35 Stat 2176.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 1 of the act of June 4, 1897, ch. 2. 30 Stat. 11, 36 (U. S. C., title 16, sec. 473), and section 2 of the act of June 8, 1906, ch. 3060, 34 Stat. 225 (U. S. C., title 16, sec. 431), do proclaim that, subject to all valid existing rights, the following-described lands in Arizona are hereby excluded from the Tonto National Forest and reserved from all forms of appropriation under the public-land laws and added to and made a part of the Tonto National Monument:

Area enlarged

30 Stat. 36.
16 U. S. C. § 473.
34 Stat 225
16 U. S. C. § 431

Lands excluded from Tonto National Forest.

GILA AND SALT RIVER MERIDIAN

Gila and Salt River Meridian
Description

T. 4 N., R. 12 E.,
sec. 26, SW¼;
sec. 27, SE¼
sec. 35, NW¼ (unsurveyed), containing approximately
480 acres.

Warning against
unauthorized acts.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

Supervision.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of this monument as provided in the act of Congress entitled "An Act To establish a National Park Service, and for other purposes", approved August 25, 1916 (ch. 408, 39 Stat. 535, U. S. C., title 16, secs. 1 and 2), and acts supplementary thereto or amendatory thereof: *Provided*, that the administration of the monument shall be subject to the withdrawal for the Salt River Irrigation project, Arizona.

39 Stat. 535.
16 U. S. C. §§ 1, 2.

Proviso
Withdrawal for Salt
River Irrigation project

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this first day of April in the year of our Lord nineteen hundred and thirty-seven and of the [SEAL] Independence of the United States of America the one hundred and sixty-first.

By the President. FRANKLIN D ROOSEVELT
CORDELL HULL
The Secretary of State.

CHILD HEALTH DAY

April 9, 1937
[No. 2231]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Child Health Day.
Preamble
45 Stat. 617

WHEREAS the Congress by joint resolution of May 18, 1928 (45 Stat. 617), has authorized and requested the President of the United States to issue annually a proclamation setting apart May 1 as Child Health Day; and

WHEREAS safeguarding the health of children is protecting the vitality of the Nation; and

WHEREAS during the past year the Federal Government has been cooperating with the State and local governments in extending and improving child-health services:

Designating May 1,
1937, as

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, on the twenty-fifth anniversary of the founding of the Children's Bureau of the United States Department of Labor, do hereby designate the first day of May of this year as Child Health Day, and do call upon the people of the United States on that day to consider and appraise child-health conditions and the community organization for child health, and to plan for health protection for every child during the coming year; and I call upon the children to celebrate the gains they have made in health during the year and to lend their aid to the community in its year-round effort to promote the health of the Nation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this ninth day of April in the year of our Lord nineteen hundred and thirty-seven, and [SEAL] of the Independence of the United States of America the one hundred and sixty-first.

By the President: FRANKLIN D ROOSEVELT
CORDELL HULL
Secretary of State.

ORGAN PIPE CACTUS NATIONAL MONUMENT—ARIZONA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

April 13, 1937
[No 2232]

A PROCLAMATION

WHEREAS certain public lands in the State of Arizona contain historic landmarks, and have situated thereon various objects of historic and scientific interest; and

Organ Pipe Cactus
National Monument,
Ariz.
Preamble

WHEREAS it appears that it would be in the public interest to reserve such lands as a national monument, to be known as the Organ Pipe Cactus National Monument:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the Act of June 8, 1906 (ch. 3060, 34 Stat. 225; U. S. C. title 16, sec. 431), do proclaim that, subject to existing rights, the following-described lands in Arizona are hereby reserved from all forms of appropriation under the public-land laws and set apart as the Organ Pipe Cactus National Monument:

Reserving certain
lands for national
monument
34 Stat 225
16 U. S. C. § 431.

GILA AND SALT RIVER MERIDIAN

Description.

Beginning at a point on the southern boundary of the Papago Indian Reservation which is the point for the corner of secs. 5, 6, 31, and 32, Tps. 17 and 18 S., R. 3 W.; thence south approximately five and one-half miles to the International Boundary; thence northwesterly along the International Boundary to the intersection with the position for the third meridional section line through unsurveyed T. 17 S., R. 8 W.; thence north on the third meridional section line through Tps. 17, 16, 15 and 14 S., R. 8 W. (unsurveyed), to the point for the corner of secs. 15, 16, 21 and 22; thence east on the third latitudinal section line through T. 14 S., Rs. 8, 7, 6 and 5 W., to the corner of sections 13, 18, 19 and 24, T. 14 S., Rs. 4 and 5 W., on the west boundary of the Papago Indian Reservation; thence southerly and easterly along the west boundary of the Papago Indian Reservation to the point for the corner of secs. 5, 6, 31, and 32, Tps. 17 and 18 S., R. 3 W., which is the point of beginning, containing approximately 330,690 acres.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

Warning against un-
authorized acts

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of the monument as provided in the act of Congress entitled "An Act To establish a National Park Service, and for other purposes," approved August 25, 1916 (ch. 408, 39 Stat. 535; U. S. C., title 16, secs. 1 and 2), and acts supplementary thereto or amendatory thereof; *Provided*, that the administration of the monument shall be subject to: (1) Right of the Indians of the Papago Reservation to pick the fruits of the organ pipe cactus and other cacti, under such regulations as may be prescribed by the Secretary of the Interior; (2) Proclamation of May 27, 1907 (35 Stat. 2136); (3) Executive Order No. 5462 of October 14, 1930; and (4) Executive Order of November 21, 1923, reserving a 40-acre tract as a public water reserve.

Supervision

39 Stat 535
16 U S C §§ 1, 2.

Provided
Rights reserved.

35 Stat 2136.

The reservation made by this proclamation supersedes as to any of the above-described lands affected thereby the temporary withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended.

Executive Order
6910 superseded.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the city of Washington this 13 day of April in the year of our Lord nineteen hundred and thirty-seven and of the [SEAL] Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

EMERGENCY BOARD, SOUTHERN PACIFIC COMPANY (PACIFIC LINES)
AND NORTHWESTERN PACIFIC RAILROAD COMPANY—EMPLOYEES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Labor disputes,
Southern Pacific Com-
pany and the North-
western Pacific Rail-
road Company and
their employees.
Preamble

WHEREAS the President, having been duly notified by the National Mediation Board that disputes between the Southern Pacific Company (Pacific Lines) and the Northwestern Pacific Railroad Company, carriers, and certain of their employees represented by

Brotherhood of Locomotive Engineers;
Brotherhood of Locomotive Firemen and Enginemen;
Order of Railway Conductors;
Brotherhood of Railroad Trainmen;

which disputes have not been heretofore adjusted under the provisions of the Railway Labor Act, amended, now threaten substantially to interrupt interstate commerce within the states of California, Oregon, Nevada, Arizona, New Mexico and Texas to a degree such as to deprive that section of the country of essential transportation service;

Emergency board
created to investigate
and report thereon.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by the Constitution and laws of the United States, and by virtue of and under the authority in me vested by Section 10 of the Railway Labor Act, amended, do hereby create a board to be composed of three persons not pecuniarily or otherwise interested in any organization of railway employees or any carrier, to investigate the aforementioned disputes and report its findings to me within thirty days from this date.

44 Stat 586
45 U. S. C. § 160.

Compensation, etc.

The members of this board shall be compensated for and on account of such duties in the sum of seventy-five dollars for every day actually employed with or upon account of travel and duties incident to such board. The members will be reimbursed for and they are hereby authorized to make expenditures for expenses for themselves and of the board, including traveling expenses and in conformity with Public No. 212, 72d Congress, Approved June 30, 1932, 11:30 a. m., not to exceed five (\$5.00) dollars per diem for expenses incurred for subsistence.

Expenditures.

47 Stat 405
5 U. S. C. § 823.

Funds available for
expenditures
49 Stat. 1177.

All expenditures of the board shall be allowed and paid for out of the appropriation "Emergency Boards, Railway Labor Act, May 20, 1926, 1937" on the presentation of itemized vouchers properly approved by the chairman of the board hereby created.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 14th day of April in the year of our Lord nineteen hundred and thirty-seven, and [SEAL] of the Independence of the United States of America the one hundred and sixty first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State

NATIONAL MARITIME DAY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

April 22, 1937
[No 2234]

A PROCLAMATION

WHEREAS May 22 of each year has been designated as National Maritime Day by Public Resolution 7, Seventy-third Congress, approved May 20, 1933, reading as follows:

National Maritime
Day
Preamble
48 Stat 73
36 U S C § 145

“Whereas on May 22, 1819, the steamship The Savannah set sail from Savannah, Georgia, on the first successful trans-oceanic voyage under steam propulsion, thus making a material contribution to the advancement of ocean transportation: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That May 22 of each year shall hereafter be designated and known as National Maritime Day, and the President is authorized and requested annually to issue a proclamation calling upon the people of the United States to observe such National Maritime Day by displaying the flag at their homes or other suitable places and Government officials to display the flag on all Government buildings on May 22 of each year.”:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby call upon the people of the United States to observe May 22, 1937, as National Maritime Day by displaying the flag at their homes or other suitable places, and do direct Government officials to display the flag on all Government buildings on that day.

Inviting observance
of May 22, 1937, as

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 22nd day of April in the year of our Lord nineteen hundred and thirty-seven, and [SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

EMERGENCY BOARD, PENNSYLVANIA; LONG ISLAND; BALTIMORE AND OHIO; READING; CENTRAL RAILROAD OF NEW JERSEY; LEHIGH VALLEY; NEW YORK CENTRAL; NEW YORK, NEW HAVEN & HARTFORD; DELAWARE, LACKAWANNA AND WESTERN; AND ERIE RAILROADS—EMPLOYEES

April 26, 1937

[No. 2235]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Labor disputes,
Pennsylvania Rail-
road et al., and their
employees.
Preamble.

WHEREAS the President, having been duly notified by the National Mediation Board that disputes between the Pennsylvania; Long Island; Baltimore and Ohio; Reading; Central Railroad of New Jersey; Lehigh Valley; New York Central; New York, New Haven & Hartford; Delaware, Lackawanna & Western; and Erie Railroads, carriers, and certain of their employees represented by

Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees;
International Longshoremen's Association;

which disputes have not heretofore been adjusted under the provisions of the Railway Labor Act, amended, now threaten substantially to interrupt interstate commerce within the state of New York and other states in the eastern part of the country to a degree such as to deprive that section of the country of essential transportation service;

Emergency board
created to investigate
and report thereon

44 Stat 586
45 U S C § 160.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by the Constitution and laws of the United States, and by virtue of and under the authority in me vested by Section 10 of the Railway Labor Act, amended, do hereby create a board to be composed of three persons not pecuniarily or otherwise interested in any organization of railway employees or any carrier, to investigate the aforementioned disputes and report its findings to me within thirty days from this date.

Compensation, etc.

The members of this board shall be compensated for and on account of such duties in the sum of seventy-five dollars for every day actually employed with or upon account of travel and duties incident to such board. The members will be reimbursed for and they are hereby authorized to make expenditures for expenses for themselves and of the Board, including traveling expenses and in conformity with Public No. 212, 72nd Congress, Approved June 30, 1932, 11:30 a. m., not to exceed five (\$5.00) dollars per diem for expenses incurred for subsistence.

Expenditures.

47 Stat 405
5 U S C § 823

All expenditures of the board shall be allowed and paid for out of the appropriation "Emergency Boards, Railway Labor Act, May 20, 1926, 1937" on the presentation of itemized vouchers properly approved by the chairman of the board hereby created.

Funds available for
expenditures
49 Stat 1177.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 26th day of April in the year of our Lord nineteen hundred and thirty-seven, and of the Independence of the United States of America the one hundred and sixty first

FRANKLIN D ROOSEVELT

By the President.

CORDELL HULL

Secretary of State

EXPORT OF ARMS, AMMUNITION, AND IMPLEMENTS OF WAR TO SPAIN

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

May 1, 1937
[No. 2236]

A PROCLAMATION

WHEREAS section 1 of the joint resolution of Congress approved May 1, 1937, amending the joint resolution entitled "Joint resolution providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war", approved August 31, 1935, as amended February 29, 1936, provides in part as follows:

Export of arms, ammunition, and implements of war to Spain.
Preamble.
Art. 1, p. 121.

49 Stat. 1061, 1152.
22 U. S. C. Supp.
II, §§ 245a-245i.

Statutory provisions.

"Whenever the President shall find that a state of civil strife exists in a foreign state and that such civil strife is of a magnitude or is being conducted under such conditions that the export of arms, ammunition, or implements of war from the United States to such foreign state would threaten or endanger the peace of the United States, the President shall proclaim such fact, and it shall thereafter be unlawful to export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from any place in the United States to such foreign state, or to any neutral state for transshipment to, or for the use of, such foreign state."

AND WHEREAS it is further provided by section 1 of the said joint resolution that

"The President shall, from time to time by proclamation, definitely enumerate the arms, ammunition, and implements of war, the export of which is prohibited by this section. The arms, ammunition, and implements of war so enumerated shall include those enumerated in the President's proclamation Numbered 2163, of April 10, 1936, but shall not include raw materials or any other articles or materials not of the same general character as those enumerated in the said proclamation, and in the Convention for the Supervision of the International Trade in Arms and Ammunition and in Implements of War, signed at Geneva June 17, 1925."

49 Stat. 3503.

AND WHEREAS it is further provided by section 1 of the said joint resolution that

"Whoever, in violation of any of the provisions of this Act, shall export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from the United States shall be fined not more than \$10,000, or imprisoned not more than five years, or both, and the property, vessel, or vehicle containing the same shall be subject to the provisions of sections 1 to 8, inclusive, title 6, chapter 30, of the Act approved June 15, 1917 (40 Stat. 223-225; U. S. C., 1934 ed., title 22, secs. 238-245)."

40 Stat. 223-225.
22 U. S. C. §§ 238-245.

AND WHEREAS it is further provided by section 1 of the said joint resolution that

"In the case of the forfeiture of any arms, ammunition, or implements of war by reason of a violation of this Act, no public or private sale shall be required; but such arms, ammuni-

tion, or implements of war shall be delivered to the Secretary of War for such use or disposal thereof as shall be approved by the President of the United States."

AND WHEREAS it is further provided by section 11 of the said joint resolution that

"The President may, from time to time, promulgate such rules and regulations, not inconsistent with law, as may be necessary and proper to carry out any of the provisions of this Act; and he may exercise any power or authority conferred on him by this Act through such officer or officers, or agency or agencies, as he shall direct."

Existence of civil
strife in Spain pro-
claimed

Citizens, residents,
etc., admonished to
abstain from law vio-
lations.

Articles to be con-
sidered arms, etc

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority conferred on me by the said joint resolution, do hereby proclaim that a state of civil strife unhappily exists in Spain and that such civil strife is of a magnitude and is being conducted under such conditions that the export of arms, ammunition, or implements of war from the United States to Spain would threaten and endanger the peace of the United States, and I do hereby admonish all citizens of the United States, or any of its possessions, and all persons residing or being within the territory or jurisdiction of the United States, or its possessions, to abstain from every violation of the provisions of the joint resolution above set forth, hereby made effective and applicable to the export of arms, ammunition, or implements of war from any place in the United States to Spain or to any other state for transshipment to, or for the use of, Spain.

And I do hereby declare and proclaim that the articles listed below shall be considered arms, ammunition, and implements of war for the purposes of section 1 of the said joint resolution of Congress:

Categories

Category I

(1) Rifles and carbines using ammunition in excess of caliber .22, and barrels for those weapons;

(2) Machine guns, automatic or autoloading rifles, and machine pistols using ammunition in excess of caliber .22, and barrels for those weapons;

(3) Guns, howitzers, and mortars of all calibers, their mountings and barrels;

(4) Ammunition in excess of caliber .22 for the arms enumerated under (1) and (2) above, and cartridge cases or bullets for such ammunition; filled and unfilled projectiles for the arms enumerated under (3) above;

(5) Grenades, bombs, torpedoes, mines and depth charges, filled or unfilled, and apparatus for their use or discharge;

(6) Tanks, military armored vehicles, and armored trains.

Category II

Vessels of war of all kinds, including aircraft carriers and submarines, and armor plate for such vessels.

Category III

(1) Aircraft, unassembled, assembled, or dismantled, both heavier and lighter than air, which are designed, adapted, and intended for aerial combat by the use of machine guns or of artillery or for the carrying and dropping of bombs, or which are equipped with, or which by reason of design or construction are prepared for, any of the appliances referred to in paragraph (2) below;

(2) Aerial gun mounts and frames, bomb racks, torpedo carriers, and bomb or torpedo release mechanisms.

Category IV

Categories—Continued

- (1) Revolvers and automatic pistols using ammunition in excess of caliber .22;
- (2) Ammunition in excess of caliber .22 for the arms enumerated under (1) above, and cartridge cases or bullets for such ammunition.

Category V

- (1) Aircraft, unassembled, assembled or dismantled, both heavier and lighter than air, other than those included in Category III;
- (2) Propellers or air screws, fuselages, hulls, wings, tail units, and under-carriage units;
- (3) Aircraft engines, unassembled, assembled, or dismantled.

Category VI

- (1) Livens projectors and flame throwers;
- (2) a. Mustard gas (dichlorethyl sulphide);
b. Lewisite (chlorvinylchlorarsine and dichlorovinylchlorarsine);
c. Methylchlorarsine;
d. Diphenylchlorarsine;
e. Diphenylcyanarsine;
f. Diphenylaminechlorarsine;
g. Phenylchlorarsine;
h. Ethylchlorarsine;
i. Phenylbromarsine;
j. Ethylbromarsine;
k. Phosgene;
l. Monochloromethylchlorformate;
m. Trichloromethylchlorformate (diphosgene);
n. Dichlorodimethyl Ether;
o. Dibromodimethyl Ether;
p. Cyanogen Chloride;
q. Ethylbromacetate;
r. Ethyliodoacetate;
s. Brombenzylcyanide;
t. Bromacetone;
u. Brommethylethyl ketone.

Category VII

- (1) Propellant powders;
- (2) High explosives as follows:
a. Nitrocellulose having a nitrogen content of more than 12%;
b. Trinitrotoluene;
c. Trinitroxylene;
d. Tetryl (trinitrophenol methyl nitramine or tetranitromethylaniline);
e. Picric acid;
f. Ammonium picrate;
g. Trinitroanisole;
h. Trinitronaphthalene;
i. Tetranitronaphthalene;
j. Hexanitrodiphenylamine;
k. Pentaerythritetetranitrate (Penthrate or Pentrite);
l. Trimethylenetrinitramine (Hexogen or T₄);
m. Potassium nitrate powders (black saltpeter powder);
n. Sodium nitrate powders (black soda powder);

Categories—Continued.

Category VII—Continued.

(2) High explosives—Continued.

- o. Amatol (mixture of ammonium nitrate and trinitrotoluene);
- p. Ammonal (mixture of ammonium nitrate, trinitrotoluene, and powdered aluminum, with or without other ingredients);
- q. Schneiderite (mixture of ammonium nitrate and dinitronaphthalene, with or without other ingredients).

Officers to prevent violations.

And I do hereby enjoin upon all officers of the United States, charged with the execution of the laws thereof, the utmost diligence in preventing violations of the said joint resolution, and this my proclamation issued thereunder, and in bringing to trial and punishment any offenders against the same.

Secretary of State empowered to promulgate rules, etc.

And I do hereby delegate to the Secretary of State the power to exercise any power or authority conferred on me by the said joint resolution, as made effective by this my proclamation issued thereunder, and the power to promulgate such rules and regulations not inconsistent with law as may be necessary and proper to carry out any of its provisions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this first day of May, in the year of our Lord nineteen hundred and thirty-seven, and of the [SEAL] Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

ENUMERATION OF ARMS, AMMUNITION, AND IMPLEMENTS OF WAR

May 1, 1937

[No 2237]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Arms, ammunition, and implements of war

Preamble.
Ante, p 121.

WHEREAS section 5 of the joint resolution of Congress approved May 1, 1937, amending the joint resolution entitled "Joint resolution providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war", approved August 31, 1935, as amended February 29, 1936, provides in part as follows:

"The President is hereby authorized to proclaim upon recommendation of the Board from time to time a list of articles which shall be considered arms, ammunition, and implements of war for the purposes of this section."

Declaring designated articles as.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority conferred upon me by the said joint resolution of Con-

49 Stat 1081, 1152.
22 U. S. C., Supp.
II, §§ 245a-245i.

gress, and pursuant to the recommendation of the National Munitions Control Board, declare and proclaim that the articles listed below shall, on and after June 1, 1937, be considered arms, ammunition, and implements of war for the purposes of section 5 of the said joint resolution of Congress:

Category I

Categories.

- (1) Rifles and carbines using ammunition in excess of caliber .22, and barrels for those weapons;
- (2) Machine guns, automatic or autoloading rifles, and machine pistols using ammunition in excess of caliber .22, and barrels for those weapons;
- (3) Guns, howitzers, and mortars of all calibers, their mountings and barrels;
- (4) Ammunition in excess of caliber .22 for the arms enumerated under (1) and (2) above, and cartridge cases or bullets for such ammunition; filled and unfilled projectiles for the arms enumerated under (3) above;
- (5) Grenades, bombs, torpedoes, mines and depth charges, filled or unfilled, and apparatus for their use or discharge;
- (6) Tanks, military armored vehicles, and armored trains.

Category II

Vessels of war of all kinds, including aircraft carriers and submarines, and armor plate for such vessels.

Category III

- (1) Aircraft, unassembled, assembled, or dismantled, both heavier and lighter than air, which are designed, adapted, and intended for aerial combat by the use of machine guns or of artillery or for the carrying and dropping of bombs, or which are equipped with, or which by reason of design or construction are prepared for, any of the appliances referred to in paragraph (2) below;
- (2) Aerial gun mounts and frames, bomb racks, torpedo carriers, and bomb or torpedo release mechanisms.

Category IV

- (1) Revolvers and automatic pistols using ammunition in excess of caliber .22;
- (2) Ammunition in excess of caliber .22 for the arms enumerated under (1) above, and cartridge cases or bullets for such ammunition.

Category V

- (1) Aircraft, unassembled, assembled or dismantled, both heavier and lighter than air, other than those included in Category III;
- (2) Propellers or air screws, fuselages, hulls, wings, tail units, and under-carriage units;
- (3) Aircraft engines, unassembled, assembled, or dismantled.

Category VI

- (1) Livens projectors and flame throwers;
- (2) a. Mustard gas (dichlorethyl sulphide);
b. Lewisite (chlorvinylchlorarsine and dichlorovinylchlorarsine);
c. Methylchlorarsine;
d. Diphenylchlorarsine;
e. Diphenylcyanarsine;
f. Diphenylaminechlorarsine;
g. Phenylchlorarsine;

Categories—Continued

Category VI—Continued.

- h. Ethyldichlorarsine;
- i. Phenyldibromarsine;
- j. Ethyldibromarsine;
- k. Phosgene;
- l. Monochlormethylchlorformate;
- m. Trichlormethylchlorformate (diphosgene);
- n. Dichlordimethyl Ether;
- o. Dibromdimethyl Ether;
- p. Cyanogen Chloride;
- q. Ethylbromacetate;
- r. Ethyliodoacetate;
- s. Brombenzylcyanide;
- t. Bromacetone;
- u. Brommethylethyl ketone.

Category VII

- (1) Propellant powders;
- (2) High explosives as follows:
 - a. Nitrocellulose having a nitrogen content of more than 12%;
 - b. Trinitrotoluene;
 - c. Trinitroxylyene;
 - d. Tetryl (trinitrophenol methyl nitramine or tetranitromethylaniline);
 - e. Picric acid;
 - f. Ammonium picrate;
 - g. Trinitroanisol;
 - h. Trinitronaphthalene;
 - i. Tetranitronaphthalene;
 - j. Hexanitrodiphenylamine;
 - k. Pentaerythritetetranitrate (Penthrite or Pentrite);
 - l. Trimethylenetrinitramine (Hexogen or T₄);
 - m. Potassium nitrate powders (black saltpeter powder);
 - n. Sodium nitrate powders (black soda powder);
 - o. Amatol (mixture of ammonium nitrate and trinitrotoluene);
 - p. Ammonal (mixture of ammonium nitrate, trinitrotoluene, and powdered aluminum, with or without other ingredients);
 - q. Schneiderite (mixture of ammonium nitrate and dinitronaphthalene, with or without other ingredients).

Former proclamation superseded
49 Stat 3503

This proclamation shall supersede the proclamation of April 10, 1936, entitled "Enumeration of Arms, Ammunition, and Implements of War", on June 1, 1937.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this first day of May, in the year of our Lord nineteen hundred and thirty-seven, and of the
[SEAL] Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

NATIONAL AVIATION DAY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

May 26, 1937
[No 2238]

A PROCLAMATION

WHEREAS the people of the United States may justly claim to have taken a leading part in the development of the science of aeronautics and to enjoy today an outstanding position among the nations of the world in the use of air transport; and

National Aviation
Day
Preamble

WHEREAS Public Resolution No. 32 Seventy-fifth Congress, first session, approved May 25, 1937, provides in part:

Statutory provi-
sions
Ante, p 202

“That the President of the United States is authorized to designate May 28, 1937, as National Aviation Day, and to issue a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on that day, and inviting the people of the United States to observe the day with appropriate exercises to further and stimulate interest in aviation in the United States.”:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting in accord with the purposes of the Congress to stimulate interest in aviation with a view to the further advancement of the science of aeronautics, do hereby call upon the people of the United States to observe May 28, 1937, as National Aviation Day with appropriate exercises, and do direct Government officials to display the flag on all Government buildings on that day.

Observance invited,
May 28, 1937.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 26th day of May, in the year of our Lord nineteen hundred and thirty-seven, and of [SEAL] the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

SUMNER WELLES

Acting Secretary of State.

TERCENTENARY OF BIRTH OF PERE MARQUETTE

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

May 27, 1937
[No 2239]

A PROCLAMATION

WHEREAS the preamble to Public Resolution No. 33, Seventy-fifth Congress, first session, approved May 27, 1937, requesting the President to proclaim the tercentenary of the birth of Pere Jacques Marquette, recites:

Tercentenary of
birth of Pere Mar-
quette
Preamble
Statutory provi-
sions
Ante, p 207.

“Whereas the 1st day of June 1937 marks the three-hundredth anniversary of the birth of Pere Jacques Marquette, the first white man to explore the upper Mississippi Valley; and

"Whereas it is eminently fitting that the tercentenary of the birth of this zealous missionary and fearless explorer should be commemorated by suitable patriotic, religious, and public exercises during such year:"

AND WHEREAS the text of the said Public Resolution provides:

"That the President of the United States is authorized and requested to issue a proclamation calling upon all officials of the Government to display the flag of the United States on all Government buildings on June 1, 1937, and inviting all people of the United States to observe the day and the anniversary year in schools, churches, and other suitable places, with appropriate ceremonies commemorating the tercentenary of the birth of Pere Jacques Marquette.":

Observance invited,
June 1, 1937.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States, do hereby direct all Government officials to display the flag of the United States on all Government buildings on the first day of June 1937, and I invite all people of the United States to observe that day and anniversary year in schools, churches, and other suitable places with appropriate ceremonies commemorating the tercentenary of the birth of Pere Jacques Marquette.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 27th day of May, in the year of our Lord nineteen hundred and thirty-seven, and
[SEAL] of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

SUMNER WELLES

Acting Secretary of State.

REVOCATION OF PROCLAMATION No. 2223 OF FEBRUARY 1, 1937, AUTHORIZING FREE ENTRY OF SUPPLIES IMPORTED FOR USE IN EMERGENCY FLOOD RELIEF WORK

May 27, 1937
[No 2240]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Emergency flood relief
Preamble.
Ante, p 1811
46 Stat 696.
19 U. S. C. § 1318.

WHEREAS by Proclamation No. 2223 of February 1, 1937, issued under the authority of section 318 of the Tariff Act of 1930 (46 Stat. 696), an emergency was declared to exist on account of disastrous floods then occurring in the valleys of the Ohio and Mississippi rivers and tributaries thereof, making it necessary to extend aid on a large scale to the flood sufferers; and

WHEREAS by the said proclamation the Secretary of the Treasury is authorized to permit during the continuance of the emergency, and within such limits and subject to such conditions as he might deem necessary, the importation free of duty of such food, clothing, and medical, surgical, and other supplies as he might designate, when imported for use in such emergency relief work; and

WHEREAS the said proclamation provides that the termination of the emergency shall be determined by the President and declared by his proclamation:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, have determined, and do hereby declare and proclaim, that the emergency on which Proclamation No. 2223 of February 1, 1937, was based no longer exists, and I do hereby revoke the said proclamation.

Proclamation authorizing free entry of supplies, etc., revoked.
Ante, p. 1811.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 27th day of May in the year of our Lord nineteen hundred and thirty-seven, and of the [SEAL] Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

SUMNER WELLES

Acting Secretary of State.

CONVEYING TO THE PEOPLE OF PUERTO RICO CERTAIN LAND HERETOFORE RESERVED FOR PURPOSES OF THE UNITED STATES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

June 16, 1937
[No. 2241]

A PROCLAMATION

WHEREAS the President of the United States, under an act of Congress approved March 2, 1917 (39 Stat. 951-968), entitled "AN ACT To provide a civil government for Porto Rico, and for other purposes," is authorized to convey to the people of Puerto Rico from time to time, in his discretion, such lands, buildings, or interests in land or other property now owned by the United States and within the territorial limits of Puerto Rico as in his opinion are no longer needed for purposes of the United States; and

Puerto Rico.
Preamble
39 Stat. 954.

WHEREAS the island within the territorial limits of Puerto Rico known as Desecheo Island, heretofore reserved by Executive Order No. 1669 of December 19, 1912, as a preserve and breeding ground for native birds, is no longer needed for purposes of the United States; and

WHEREAS this island is desired by the Insular Government of Puerto Rico for use as a forest reserve and as a preserve and breeding ground for native birds, and may be advantageously used by the people of Puerto Rico;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States, by virtue of the authority in me vested, do hereby proclaim and make known that Desecheo Island, located in Mona Passage, Puerto Rico, approximately in latitude eighteen degrees twenty-three minutes north, longitude sixty-seven degrees twenty-nine minutes west from Greenwich, as indicated upon the diagram hereto attached and made a part hereof, is hereby transferred and conveyed, subject to the reservations and conditions hereafter mentioned, to the people of Puerto Rico to be used for forest reserve and native bird preserve purposes only.

Desecheo Island transferred to people of Puerto Rico.

Rights reserved.

There is reserved to the United States the right to occupy such areas of Desecheo Island as may be needed for the establishment of aids to navigation, together with rights for landing and ingress and egress to the areas so occupied by the United States.

Reversionary provision

In the event that Desecheo Island shall cease to be used for forest reserve and native bird preserve purposes, or be devoted to any other than forest reserve and native bird preserve purposes, the same shall revert to the United States.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 16th day of June, in the year of our Lord nineteen hundred and thirty-seven, and of the [SEAL] Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

ONE HUNDRED AND FIFTIETH ANNIVERSARY OF THE CONSTITUTION

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

July 4, 1937
[No. 2242]

A PROCLAMATION

One hundred and fiftieth anniversary of the Constitution and inauguration of the first President

WHEREAS the Constitution of the United States was signed on September 17, 1787, and had by June 21, 1788, been ratified by the necessary number of States; and

WHEREAS George Washington was inaugurated as the first President of the United States on April 30, 1789:

Setting apart period for commemoration of.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, hereby designate the period from September 17, 1937, to April 30, 1939, as one of commemoration of the one hundred and fiftieth anniversary of the signing and the ratification of the Constitution and of the inauguration of the first President under that Constitution.

In commemorating this period we shall affirm our debt to those who ordained and established the Constitution "in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity".

We shall recognize that the Constitution is an enduring instrument fit for the governing of a far-flung population of more than one hundred and thirty million engaged in diverse and varied pursuits, even as it was fit for the governing of a small agrarian nation of less than four million.

It is therefore appropriate that in the period herein set apart we shall think afresh of the founding of our Government under the Constitution, how it has served us in the past and how in the days to come its principles will guide the nation ever forward.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this fourth day of July, in the year of our Lord nineteen hundred and thirty-seven, and [SEAL] of the Independence of the United States of America the one hundred and sixty-second.

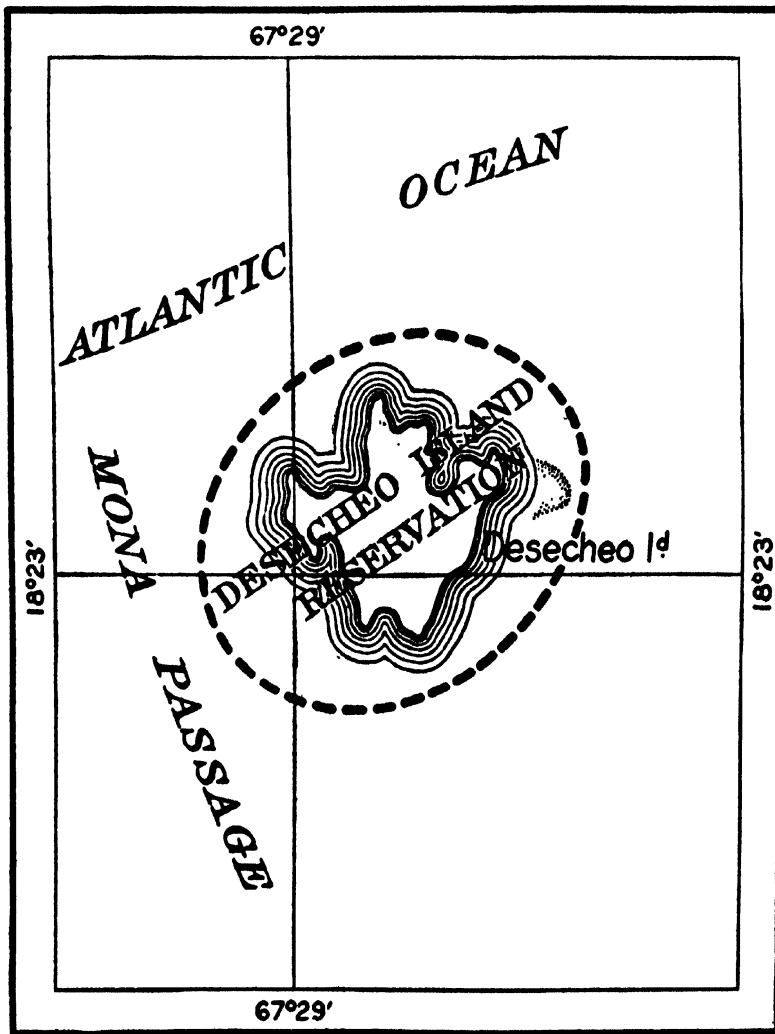
FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL
Secretary of State.

DESECHEO ISLAND RESERVATION

For Protection of Native Birds
PUERTO RICO

*Embracing Desecheo Island in Mona Passage,
as segregated by broken line and designated
"Desecheo Island Reservation."*



DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

Fred W. Johnson, Commissioner

ENLARGING THE WUPATKI NATIONAL MONUMENT—ARIZONA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

July 9, 1937

[No. 2243]

A PROCLAMATION

WHEREAS certain land contiguous to the Wupatki National Monument, established by Proclamation of December 9, 1924 (43 Stat. 1977), have situated thereon prehistoric and archaeological ruins of historic and scientific interest; and

Wupatki National Monument, Ariz. Preamble 43 Stat. 1977.

WHEREAS there are other lands contiguous to the said Monument which are necessary for the proper care, management, and protection of the prehistoric ruins situated on the lands now included in the aforesaid Monument and on the additional lands above referred to; and

WHEREAS it appears that it would be in the public interest to reserve such lands as an addition to the Wupatki National Monument:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the act of June 8, 1906, ch. 3060, 34 Stat. 225 (U. S. C., title 16, sec. 431), do proclaim that, subject to the withdrawal made by order of the Secretary of the Interior of July 9, 1934, in aid of the consolidations authorized by the act of June 14, 1934, ch. 521, 48 Stat. 960, and subject to all valid existing rights, the following-described lands in Arizona are hereby reserved and added to and made a part of the Wupatki National Monument:

Area enlarged. 34 Stat. 225. 16 U. S. C. § 431.

48 Stat. 960
Lands added.

GILA AND SALT RIVER MERIDIAN

Description.

- T. 25 N., R. 8 E.,
 - sec. 1, N½ and SW¼;
 - secs. 2 and 11;
 - sec. 12, W½ and SE¼;
 - secs. 13 and 14;
 - All those parts of secs. 3, 10 and 15 lying east of the east line of the right of way of U. S. Highway No. 89;
- T. 25 N., R. 9 E.,
 - secs. 1 to 4, inclusive;
 - sec. 5, E½;
 - sec. 7, S½;
 - secs. 8 to 18, inclusive;
- T. 26 N., R. 9 E., sec. 32, N½;
- T. 25 N., R. 10 E.,
 - sec. 1, lots 1 to 4, inclusive, W½ SW¼ and SE¼ SW¼;
 - sec. 2, lots 1 to 5, inclusive, S½ NW¼ and S½;
 - secs. 3 to 12, and 14 to 22, inclusive;
 - secs. 28 and 29;
 - sec. 30, S½;
 - secs. 31 and 32;
- T. 26 N., R. 10 E.,
 - sec. 16, SW¼;
 - sec. 17, SE¼;
 - sec. 20;
 - sec. 21, NW¼;
 - secs. 29 and 32, containing 33,631.20 acres.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this Monument and not to locate or settle upon any of the lands thereof.

Warning against unauthorized acts, etc.

Supervision.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of the Monument as provided in the act of Congress entitled "An Act To establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535, U. S. C., title 16, secs. 1 and 2), and acts supplementary thereto or amendatory thereof.

39 Stat. 535
16 U. S. C. §§ 1, 2.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 9th day of July in the year of our Lord nineteen hundred and thirty-seven and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President,
CORDELL HULL
Secretary of State.

ENLARGING HARNEY NATIONAL FOREST—SOUTH DAKOTA AND WYOMING

July 12, 1937
[No. 2244]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Harney National
Forest, S. Dak. and
Wyo.
Preamble.

Area enlarged.

26 Stat. 1103.
16 U. S. C. § 471.

30 Stat. 36
16 U. S. C. § 473.

WHEREAS it appears that it would be in the public interest to add certain hereinafter-described lands to the Harney National Forest in South Dakota and Wyoming:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power vested in me by section 24 of the act of March 3, 1891, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), and the act of June 4, 1897, 30 Stat. 11, 34, 36 (U. S. C., title 16, sec. 473), do proclaim that, subject to all valid existing rights, all lands of the United States within the following-described areas are hereby included in and reserved as a part of the Harney National Forest, and that all lands within such areas which may hereafter be acquired by the United States for forestry purposes shall upon acquisition be reserved and administered as part of such Forest:

Description.

BLACK HILLS MERIDIAN

- T. 8 S., R. 3 E.,
secs. 1, 12, 13, 24, 25 and 36;
sec. 35, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$;
- T. 6 S., R. 4 E.,
sec. 1, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ and S $\frac{1}{2}$,
secs. 2, 11, 12, 13,
secs. 20 to 29, and 33 to 36, inclusive;
- T. 7 S., R. 4 E.,
secs. 1, 2, 3, 10, 11, 12,
secs. 25 to 29, and 31 to 36, inclusive;
- T. 8 S., R. 4 E.,
secs. 1 to 33, inclusive,
all of secs. 34 and 35 lying north and west of the Cheyenne River,
all sec. 36 lying north of said river;

- T. 9 S., R. 4 E.,
all sec. 2 lying west of said river,
sec. 3, all of E $\frac{1}{2}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$ lying north and west and
of S $\frac{1}{2}$ SW $\frac{1}{4}$ lying south and west of said river,
all sec. 4 lying west of said river,
sec. 5, E $\frac{1}{2}$,
sec. 6, E $\frac{1}{2}$ NE $\frac{1}{4}$,
sec. 9,
all sec. 10 lying west of said river;
- T. 6 S., R. 5 E.,
all of secs. 5 and 6 not part of the national forest,
sec. 7,
sec. 8, NE $\frac{1}{4}$ and W $\frac{1}{2}$,
sec. 9, S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$,
sec. 16, W $\frac{1}{2}$,
sec. 17, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$,
sec. 18, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$;
sec. 19, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ and S $\frac{1}{2}$,
sec. 20, E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and
S $\frac{1}{2}$ SE $\frac{1}{4}$,
sec. 21, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$,
secs. 22, and 27 to 34, inclusive;
- T. 7 S., R. 5 E.,
secs. 3 to 10, inclusive,
secs. 15, 16, 21, 22, and
secs. 25 to 36, inclusive;
- T. 8 S., R. 5 E.,
secs. 1 to 30, inclusive,
all of secs. 31 and 32 lying north and east of the Cheyenne
River, and
secs. 33, 34, 35 and 36;
- T. 9 S., R. 5 E.,
all of secs. 1 and 2 lying north of said river,
secs. 3 and 4,
all sec. 5 lying east of said river,
all of secs. 8 to 12, inclusive, lying north of said river;
- T. 7 S., R. 6 E.,
all of secs. 30, 32 and 33 lying south and west of Fall
River, and
sec. 31;
- T. 8 S., R. 6 E.,
all sec. 4 lying west of the Cheyenne and Fall Rivers,
secs. 5, 6 and 7,
all of secs. 8, 9, 10 and 17 lying north and west of the
Cheyenne River,
secs. 18, 19, 30 and 31, and
all of secs. 20, 28, 29, 32 and 33 lying west of said river;
- T. 9 S., R. 6 E.,
sec. 4, all of N $\frac{1}{2}$ lying south and west and all of S $\frac{1}{2}$ lying
north and west of said river,
all of secs. 5, 7 and 8 lying north and west of said river,
and
sec. 6.

The reservation made by this proclamation supersedes as to any of the above-described lands affected thereby the temporary withdrawals for classification and other purposes made by Executive Orders No. 6888 of October 29, 1934, and No. 6909 of November 21, 1934.

Rights, etc., not affected.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 12th day of July in the year of our Lord nineteen hundred and thirty-seven and of the [SEAL] Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President,
CORDELL HULL
Secretary of State.

REGULATIONS RELATING TO MIGRATORY BIRDS AND CERTAIN GAME MAMMALS

July 30, 1937
[No 2245]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Regulations relating to migratory birds and certain game mammals.
Preamble.

40 Stat. 755; 49 Stat. 1555.

16 U. S. C. §§ 704, 705; Supp. II, §§ 704, 705.

Terms of Convention with Great Britain.
39 Stat. 1702
Convention with United Mexican States

WHEREAS the Acting Secretary of Agriculture, pursuant to sections 3 and 4 of the Migratory Bird Treaty Act (40 Stat. 755), as amended June 20, 1936 (49 Stat. 1555), has adopted and submitted to me regulations which he has determined to be suitable regulations permitting and governing (1) hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation and importation of migratory birds and parts, nests, and eggs thereof, included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds concluded August sixteenth, nineteen hundred and sixteen and the Convention between the United States and the United Mexican States for the protection of migratory birds and game mammals concluded February seventh, nineteen hundred and thirty-six, and (2) exportation and importation to and from Mexico of game mammals, parts and products thereof, included in the aforesaid Convention between the United States and the United Mexican States, which said regulations are as follows:

REGULATIONS ADOPTED BY THE SECRETARY OF AGRICULTURE PURSUANT TO THE MIGRATORY BIRD TREATY ACT

Regulations adopted by Secretary of Agriculture

Pursuant to the authority and direction contained in sections 3 and 4 of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), as amended by the Act of June 20, 1936 (49 Stat. 1555), I, M. L. Wilson Acting Secretary of Agriculture, having due regard to the zones of temperature and to the distribution, abundance, economic value, breeding habits and times and lines of migratory flight of migratory birds included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds, concluded August sixteenth, nineteen hundred and sixteen, and the Convention between the United States and the United Mexican States for the protection of migratory birds and game mammals concluded February seventh, nineteen hundred and thirty-six, and having due regard to the laws of the United Mexican States relating to the exportation and importation of game mammals, and parts and products thereof, included in the terms of the said Convention between the United States and the United Mexican States and to the laws of the States and Territories and of the District of Columbia from and into which such mammals, parts and products thereof, may be proposed to be exported or imported, and to the laws of the United States forbidding

importation of certain live mammals injurious to the interests of agriculture and horticulture, have determined when, to what extent, and by what means it is compatible with the terms of said Conventions and Act to allow hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation and importation of such birds and parts thereof and their nests and eggs, and exportation and importation of such mammals to and from Mexico, and, in accordance with such determinations, do hereby adopt the following regulations as suitable regulations permitting and governing hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation and importation of said migratory birds and parts, nests, and eggs thereof, and the exportation and importation of game mammals, parts, and products thereof to and from Mexico:

Regulation 1.—DEFINITIONS OF MIGRATORY BIRDS AND GAME MAMMALS

Migratory birds included in the terms of the conventions between the United States and Great Britain for the protection of migratory birds, and between the United States and United Mexican States for the protection of migratory birds and game mammals, concluded, respectively, August 16, 1916 and February 7, 1936, are as follows:

Definitions.

1. Migratory game birds:

Migratory game birds

(a) Anatidae, or waterfowl, including brant, wild ducks, geese, and swans.

(b) Gruidae, or cranes, including little brown, sandhill, and whooping cranes.

(c) Rallidae, or rails, including coots, gallinules, and sora and other rails.

(d) Limicolae (Charadrii), or shore birds, including avocets, curlews, dowitchers, godwits, knots, oyster-catchers, phalaropes, plovers, sandpipers, snipe, stilts, surf birds, turn-stones, willet, woodcock, and yellowlegs.

(e) Columbidae, or pigeons, including doves and wild pigeons.

2. Migratory insectivorous and other migratory nongame birds: Cuckoos, flickers and other woodpeckers; nighthawks, or bullbats, chuck-wills-widows, poor-wills, and whip-poor-wills; swifts; hummingbirds; kingbirds, phoebes, and other flycatchers; horned larks; bobolinks, cowbirds, blackbirds, grackles, meadowlarks, and orioles; grosbeaks, finches, sparrows, and buntings; tanagers; martins and other swallows; waxwings; phainopeplas; shrikes; vireos; warblers; pipits; catbirds, mockingbirds, and thrashers; wrens; brown creepers; nuthatches; chickadees and titmice; kinglets and gnatcatchers; robins and other thrushes; all other perching birds which feed entirely or chiefly on insects; and auks, auklets, bitterns, fulmars, gannets, grebes, guillemots, gulls, herons, jaegers, loons, murre, petrels, puffins, shearwaters, and terns.

Migratory insectivorous, etc., nongame birds

Game mammals under the terms of the aforesaid convention between the United States and the United Mexican States include:

Game mammals

Antelope, mountain sheep, deer, bears, peccaries, squirrels, rabbits, and hares.

Regulation 2.—DEFINITIONS OF TERMS.

For the purposes of these regulations the following terms shall be construed, respectively, to mean and to include—

Terms defined.

Secretary.—The Secretary of Agriculture of the United States.

Chief of the Bureau.—The Chief of the Bureau of Biological Survey, United States Department of Agriculture.

Person.—The plural or the singular, as the case demands, individuals, clubs, associations, partnerships, and corporations, unless the context otherwise requires.

Take.—Hunt, kill, or capture, or attempt to hunt, kill, or capture.

Open season.—The time during which migratory birds may be taken.

Transport.—Ship, transport, carry, export, import, and receive or deliver for shipment, transportation, carriage, exportation, or importation.

Regulation 3.—MEANS BY WHICH MIGRATORY GAME BIRDS MAY BE TAKEN

Means for taking birds

Post, p. 1850.

The migratory game birds for which open seasons are specified in regulation 4 of these regulations may be taken during such respective open seasons with a shotgun only, not larger than no. 10 gage, fired from the shoulder, except as specifically permitted by regulations 7, 8, 9, and 10 of these regulations, but they shall not be taken with or by means of any automatic-loading or hand-operated repeating shotgun capable of holding more than three shells, the magazine of which has not been cut off or plugged with a one-piece metal or wooden filler incapable of removal through the loading end thereof, so as to reduce the capacity of said gun to not more than three shells at one time in the magazine and chamber combined; they may be taken during the open season from land or water, with the aid of a dog, and from a blind, boat, or floating craft except sinkbox (battery), powerboat, sailboat, any boat under sail, and any craft or device of any kind towed by powerboat or sailboat; but nothing herein shall permit the taking of migratory game birds from or by means, aid, or use of an automobile or aircraft of any kind.

Waterfowl.

Post, p. 1850.

Waterfowl (except for propagation, scientific, or banding purposes under permit pursuant to regulations 8 and 9 of these regulations) and mourning doves and white-winged doves are not permitted to be taken by means, aid, or use, directly or indirectly, of corn, wheat, oats, or other grain or products thereof, salt, or any kind of feed whatsoever, placed, deposited, distributed, scattered, or otherwise put out whereby such waterfowl or doves are lured, attracted, or enticed, regardless of the distance intervening between any such grain, salt, or feed and the position of the taker; and in the taking of waterfowl, the use, directly or indirectly, of live duck or goose decoys is not permitted, regardless of the distance intervening between any such live decoys and the position of the taker; nor shall anything in these regulations be deemed to permit the use of aircraft of any kind, or of a powerboat, sailboat, or other floating craft or device of any kind, for the purpose of concentrating, driving, rallying, or stirring up waterfowl.

Hunting stamps

A person over 16 years of age is not permitted to take migratory waterfowl unless at the time of such taking he has on his person an unexpired Federal migratory bird hunting stamp, validated by his signature written across the face thereof in ink. Persons not over 16 years of age are permitted to take migratory waterfowl without such stamp.

Open seasons on and possession of certain migratory game birds.

Time prescribed. Waterfowl.

Regulation 4.—OPEN SEASONS ON AND POSSESSION OF CERTAIN MIGRATORY GAME BIRDS

Waterfowl (except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, canvasback duck, redhead duck, ruddy duck, bufflehead duck, and swans), and coot, may be taken each day from 7 a. m. to 4 p. m., and rails and gallinules (other than coot), Wilson's snipe or jacksnipe,

woodcock, mourning doves, white-winged doves, and band-tailed pigeons from 7 a. m., to sunset each day during the open seasons prescribed therefor in this regulation, and they may be taken by the means and in the numbers permitted by regulations 3 and 5 of these regulations, respectively, and when so taken may be possessed in the numbers permitted by regulation 5 any day in any State or Territory, or in the District of Columbia, during the period constituting the open season where taken and for an additional period of 10 days next succeeding said open season, but no such bird shall be possessed in a State or Territory, or in the District of Columbia at a time when such State, Territory, or District prohibits the possession thereof. Nothing herein shall be deemed to permit the taking of migratory birds on any reservation or sanctuary established under the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222), nor on any area of the United States set aside under any other law, proclamation, or Executive order for use as a bird, game, or other wildlife reservation, breeding grounds, or refuge except insofar as may be permitted by the Secretary of Agriculture under existing law, nor on any area adjacent to any such refuge when such area is designated as a closed area under the Migratory Bird Treaty Act.

45 Stat. 1222

Waterfowl, Wilson's snipe or jacksnipe, and coot.—The open seasons for waterfowl (except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, ruddy duck, canvasback duck, redhead duck, bufflehead duck, and swans), Wilson's snipe or jacksnipe, and coot, in the several States and Alaska, shall be as follows, both dates inclusive:

In Colorado, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Montana, Nebraska, New Hampshire, New York (except Long Island), North Dakota, Ohio, Oklahoma, South Dakota, Vermont, Wisconsin, and Wyoming, October 9 to November 7.

In Connecticut, Delaware, Idaho, Illinois, Indiana, Kentucky, Missouri, Nevada, New Jersey, New Mexico, that portion of New York known as Long Island, Oregon, Pennsylvania, Rhode Island, Utah, Washington and West Virginia, November 1 to November 30.

In Alabama, Arizona, Arkansas, California, Florida, Georgia, Louisiana, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia, November 27 to December 26.

In Alaska north of the Alaska Range and the Ahklun Mountains, September 1 to September 30; south of the Alaska Range and the Ahklun Mountains west of the one hundred and forty-first meridian and east of False Pass at the tip of the Alaska Peninsula, September 16 to October 15; southeastern Alaska from the one hundred and forty-first meridian to Dixons Entrance, October 1 to October 30; and Islands of Unimak, Unalaska, Akutan, and Akun west of Unimak pass in the Aleutian Island group, November 1 to November 30.

Rails and gallinules (except coot).—The open season for rails and gallinules (except coot) shall be from September 1 to November 30, both dates inclusive, except as follows:

Rails and gallinules.

Washington and Massachusetts, October 1 to November 30.

New York (except Long Island), October 9 to November 7.

That portion of New York known as Long Island, November 1 to November 30.

Wisconsin, October 9 to November 7.

Alabama, November 20 to January 31.

Louisiana, November 1 to January 31.

District of Columbia, no open season.

Woodcock.—The open seasons for woodcock shall be as follows, both dates inclusive:

Woodcock.

Wisconsin, October 17 to October 31.

That portion of New York lying north of the tracks of the main line of the New York Central Railroad extending from Buffalo to Albany, and north of the tracks of the main line of the Boston and Albany Railroad extending from Albany to the Massachusetts State line, and in Maine, New Hampshire, Vermont, Pennsylvania, Michigan, and North Dakota, October 1 to October 31.

That portion of New York lying south of the line above described, and in Delaware, New Jersey, Ohio, Indiana, and Iowa, October 15 to November 14.

That portion of New York known as Long Island, November 1 to November 30.

Massachusetts, Rhode Island, and Connecticut, October 21 to November 20.

Missouri, November 10 to December 10.

Maryland, Virginia, West Virginia, Kentucky, Arkansas, and Oklahoma, November 15 to December 15.

North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Louisiana, December 1 to December 31.

Mourning doves.

Mourning doves.—The open seasons for mourning doves shall be as follows, both dates inclusive:

Arizona, Arkansas, California, Idaho, Illinois, Kansas, Kentucky, Minnesota, Missouri, New Mexico, Nebraska, Nevada, Oklahoma, Oregon, Tennessee, Utah, and Virginia, September 1 to November 15.

Delaware, September 15 to November 1 and November 15 to December 15.

Maryland, September 1 to September 30 and November 15 to December 31.

Florida (except in Dade, Broward, and Monroe Counties), November 20 to January 31.

That portion of Florida comprising Dade, Broward, and Monroe Counties, October 1 to November 15.

Louisiana and Mississippi, September 15 to October 1 and November 20 to January 15.

North Carolina, September 15 to October 15 and December 20 to January 31.

Alabama, in the counties of Pickens, Tuscaloosa, Jefferson, Shelby, Talladega, Clay, Randolph, and all counties north thereof; Georgia, in the counties of Troup, Meriwether, Pike, Lamar, Monroe, Jones, Baldwin, Washington, Jefferson, Burke, and all counties north thereof; and South Carolina, in the counties of Aiken, Saluda, Newberry, Fairfield, Lancaster, Chesterfield, and all counties north thereof, September 15 to October 15 and December 20 to January 31.

Alabama, Georgia, and South Carolina, in the counties other than those aforesaid, November 20 to January 31.

Texas, in the counties of Yoakum, Terry, Lynn, Garza, Kent, Stonewall, King, Cottle, Childress, and all counties north and west thereof, September 1 to October 31.

Texas, south and east of the above described boundaries, September 15 to November 15.

White-winged doves.

White-winged doves.—The open seasons for white-winged doves shall be as follows, both dates inclusive:

Arizona, August 5 to September 3.

Texas, in the counties of Yoakum, Terry, Lynn, Garza, Kent, Stonewall, King, Cottle, Childress, and all counties north and west thereof, September 1 to October 31.

Texas, south and east of the above described boundaries, September 15 to November 15.

Band-tailed pigeons.

Band-tailed pigeons.—The open seasons for band-tailed pigeons shall be as follows, both dates inclusive:

California, December 1 to December 15.
 Arizona and Oregon, October 16 to October 30.
 New Mexico, October 1 to October 15.
 Washington, September 16 to September 30.

Regulation 5.—DAILY BAG AND POSSESSION LIMITS ON CERTAIN MIGRATORY GAME BIRDS

A person may take in any one day during the open seasons prescribed therefor in regulation 4 of these regulations not to exceed the following numbers of migratory game birds, which numbers shall include all birds taken by any other person who for hire accompanies or assists him in taking such birds; and when so taken these may be possessed in the numbers specified as follows:

Ducks (except wood duck, canvasback duck, redhead duck, ruddy duck, and bufflehead duck).—Ten in the aggregate of all kinds, and any person at any one time may possess not more than 10 ducks in the aggregate of all kinds.

Geese and brant (except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, and Ross's goose).—Five in the aggregate of all kinds, and any person at any one time may possess not more than 5 geese and brant in the aggregate of all kinds.

Rails and gallinules (except sora and coot).—Fifteen in the aggregate of all kinds, and any person at any one time may possess not more than 15 in the aggregate of all kinds.

Sora.—Fifteen, and any person at any one time may possess not more than 15.

Coot.—Twenty-five, and any person at any one time may possess not more than 25.

Wilson's snipe or jacksnipe.—Fifteen, and any person at any one time may possess not more than 15.

Woodcock.—Four, and any person at any one time may possess not more than 4.

Mourning doves and white-winged doves.—Fifteen in the aggregate of both kinds, and any person at any one time may possess not more than 15 in the aggregate of both kinds.

Band-tailed pigeons.—Ten, and any person at any one time may possess not more than 10.

The possession limits hereinbefore prescribed shall apply as well to ducks, geese, brant, rails, including coot and gallinules, Wilson's snipe or jacksnipe, woodcock, mourning doves, white-winged doves, and band-tailed pigeons taken in Canada, Mexico, or other foreign country and brought into the United States, as to those taken in the United States.

Daily bag limits.
Ante, p. 1846.

Ducks.

Geese and brant

Rails and gallinules.

Sora.

Coot.

Wilson's snipe or
 jacksnipe.

Woodcock.

Mourning doves
 and white-winged
 doves.

Band-tailed pigeons.

Regulation 6.—SHIPMENT, TRANSPORTATION, AND POSSESSION OF CERTAIN MIGRATORY GAME BIRDS

Migratory game birds of a species for which open seasons are prescribed by regulation 4 of these regulations, legally taken, and parts thereof, may be transported in any manner in or out of the State where taken during the respective open seasons in that State, and when legally taken in and exported from Canada or Mexico, and if from Mexico are accompanied by a Mexican export permit, may be transported into the United States during the open season in the Province, State, or District where killed, but not more than the number thereof that may be taken in 1 day by one person under these regulations shall be transported by one person in 1 calendar week out of

Shipment, trans-
 portation, and pos-
 session restrictions.

the State where taken or from Canada or Mexico into the United States; any such birds or parts thereof in transit during the open season may continue in transit such additional time immediately succeeding such open season, not to exceed 5 days, necessary to deliver the same to their destination, and may be possessed in any State, Territory, or District during the period constituting the open season where taken, and for an additional period of 10 days next succeeding said open season; and any package in which such birds or parts thereof are transported shall have the name and address of the shipper and of the consignee and an accurate statement of the numbers and kinds of birds or parts thereof contained therein clearly and conspicuously marked on the outside thereof; but no such birds or parts thereof shall be transported from any State or Territory, or the District of Columbia, to or through another State or Territory, or the District of Columbia, or to or through Canada or Mexico contrary to the laws of the State or Territory, or the District of Columbia in which they were taken or from which they are transported; nor shall any such birds or parts thereof be transported into any State or Territory, or the District of Columbia from another State or Territory, or the District of Columbia, or from Canada or Mexico, or from any State or Territory, or the District of Columbia into any Province of the Dominion of Canada or into Mexico at a time when any such State, Territory, District, or Province, or Mexico, into which they are transported, prohibits the possession or transportation thereof.

Importations other
than from Canada and
Mexico
Ante, p 1846

Migratory game birds imported from countries other than Canada and Mexico.—Migratory game birds of a species for which open seasons are prescribed by regulation 4 of these regulations, legally taken in and exported from a foreign country (other than Canada and Mexico, for which provision is hereinbefore made), may be transported to and possessed in any State or Territory, during the open season prescribed by said regulation 4 in such State or Territory for that species and for a period of 10 days immediately succeeding such open season, and in the District of Columbia during the open season so prescribed for Maryland and 10 days thereafter, in numbers in any 1 calendar week not exceeding those permitted to be taken in 1 day by regulation 5 of these regulations, if transportation and possession of such birds is not prohibited by the laws of such State, Territory, or District and if transported in packages marked as hereinbefore provided.

Regulation 7.—TAKING OF CERTAIN MIGRATORY NON-GAME BIRDS BY ESKIMOS AND INDIANS IN ALASKA

Taking of certain
birds by Eskimos and
Indians in Alaska.

In Alaska Eskimos and Indians may take, in any manner and at any time, and may possess and transport, auks, auklets, guillemots, murre, and puffins and their eggs and skins for the use of themselves and their immediate families for food and clothing.

Regulation 8.—PERMITS TO PROPAGATE MIGRATORY WATERFOWL

Permits to propa-
gate migratory water-
fowl.

1. A person in possession of a valid, subsisting permit issued to him by a State, on its part, authorizing him to take therein migratory waterfowl or their eggs for propagating purposes, may take such birds or their eggs in such State for such purposes when authorized by a permit issued to him by the Secretary, which permit may limit the species and numbers of birds or eggs that may be taken and the period during which and the locality where they may be taken. Both permits shall be carried on the person of the permittee when he is

taking migratory waterfowl or their eggs and shall be exhibited to any person requesting to see them. Waterfowl and their eggs so taken may be possessed by the permittee and may be sold and transported by him for propagating purposes to any person holding a permit issued by the Secretary in accordance with the provisions of this regulation.

2. A person in possession of a valid, subsisting permit issued to him by a State, on its part, authorizing him to possess, purchase, sell, and transport migratory waterfowl and their increase and eggs for propagating purposes, may possess, purchase, sell, and transport such waterfowl and their increase and eggs for such purposes when authorized by a permit issued to him by the Secretary; but may not purchase or sell to any person not authorized by these regulations or by a permit issued thereunder to sell or purchase such waterfowl and their eggs; and migratory waterfowl, except the birds taken under paragraph 1 of this regulation, so possessed may be killed by him at any time and in any manner (except that they may be killed by shooting only during the open season for waterfowl in the State where killed), and the carcasses, with heads and feet attached thereto, may be sold and transported by him to any person for actual consumption, or to the keeper of a hotel, restaurant, or boarding house, a retail dealer in meat or game, or a club, for sale or service to their patrons, who may possess such carcasses for actual consumption without a permit, but no such birds that have been killed shall be bartered, sold, or purchased unless each bird before attaining the age of 4 weeks shall have had removed from the web of one foot a portion thereof in the form of a V large enough to make a permanent, well-defined mark, which shall be sufficient to identify it as a bird raised in domestication under a permit.

Use of.

3. Applications for permits shall be addressed to the Secretary of Agriculture, Washington, D. C., and must state the name and address of the applicant; the place where the propagating project is to be carried on; the area to be used in the project; the facilities the applicant has for properly caring for the waterfowl; the number of each species of waterfowl in his possession, and how, when, and where they were acquired; and, if the application is for a permit to take migratory waterfowl or their eggs, the species and number of each species or eggs of each species proposed to be taken, and the specific locality where it is proposed to take them.

Applications for permits.

4. Every permittee shall keep books and records that shall correctly set forth the number of each species of waterfowl and their eggs taken by him, if he holds a permit to take waterfowl, the number of each species of waterfowl and their eggs possessed on the date of application for a permit, the number of each species reared and killed, the number of each species and their eggs sold and transported, the manner in which they were transported, the name and address of each person from or to whom waterfowl and eggs were purchased or sold, the number and species so purchased or otherwise acquired or sold and whether sold alive or dead, and the date of each transaction. Whenever requested by the Chief of the Bureau, the permittee shall submit to him such report of his operations under the permit as may be called for, and in any event shall file with the Secretary, on a form provided therefor, on or before January 10, a full report of his operations during the preceding calendar year. Failure to make the reports therein provided for will be cause for revocation of the permit.

Permittee to keep records.

Reports.

5. A permittee shall at all reasonable hours allow any authorized employee of the United States Department of Agriculture to enter and inspect the premises where operations are being carried on under this regulation and to inspect the books and records relating thereto.

Inspections.

State permits.

6. No permit issued by the Secretary authorizes the taking, possession, sale, purchase, exchange, or transportation of migratory waterfowl or their eggs unless the permittee has in his possession while exercising any such privilege a valid, subsisting permit of equivalent tenor issued to him by the State in which he proposes to operate. No permit issued by the Secretary authorizes the transportation of migratory waterfowl or their eggs from Mexico into the United States unless such waterfowl or eggs are accompanied by a Mexican export permit. Permits are not transferable and are revocable at any time in the discretion of the Secretary. A permit revoked by the Secretary shall be surrendered to him by the person to whom it was issued on demand of any employee of the United States Department of Agriculture authorized to enforce the Migratory Bird Treaty Act.

Possession, etc., for personal use without permit

7. A person may possess and transport, subject to the provisions of paragraph 8 of this regulation, for his own use, without a permit, live migratory waterfowl now legally possessed or hereafter legally acquired by him, but he may not purchase or sell such waterfowl without a permit. A State or municipal game farm or city park may possess, purchase, sell, and transport live migratory waterfowl without a permit, but no such waterfowl shall be purchased from or sold to a person (other than such State or municipal game farm or city park) unless he has a permit. Feathers of wild ducks and wild geese legally killed, and feathers of such birds seized and condemned by Federal or State game authorities, may be possessed, purchased, sold, and transported for use in making fishing flies, bed pillows, and mattresses, and for such similar commercial purposes, but not for millinery or ornamental purposes.

Feathers.

Marking, etc., packages.

8. Every package in which migratory waterfowl or parts or eggs thereof are shipped wholly within a State or Territory, or the District of Columbia, or in which such waterfowl, parts, or eggs are transported by any means whatever from one State, Territory, or the District of Columbia to, into, or through another State, Territory, or the District of Columbia, or to a foreign country, shall be plainly and clearly marked, labeled, or tagged on the outside thereof to show the name and address of the consignor and consignee, the contents of the package, the number of the permit under authority of which it is shipped or transported and the purpose for which the waterfowl or eggs are being shipped or transported.

Permits to collect specimens.

Regulation 9.—PERMITS TO COLLECT MIGRATORY BIRDS FOR SCIENTIFIC PURPOSES

Scientific collections

1. A person in possession of a valid, subsisting permit issued to him by a State, on its part, authorizing him to take therein migratory birds or their nests or eggs for scientific purposes may take such birds or their nests or eggs in such State for such purposes when authorized by a permit issued to him by the Secretary. Both permits shall be carried on his person when he is collecting migratory birds thereunder, and shall be exhibited to any person requesting to see them; but nothing herein shall be deemed to permit the taking of any migratory game bird during the open season therefor in any manner or by any means or at any time of the day not permitted by regulations 3 and 4 of these regulations.

Applications.

2. Applications for permits shall be addressed to the Secretary of Agriculture, Washington, D. C., and must state the name and address of the applicant, his age, the State or Territory in which migratory birds or their nests or eggs are proposed to be taken, the purpose for which they are intended, information sufficient to show that such birds, nests or eggs permitted to be taken will be devoted to scientific

purposes, and the names and addresses of at least two well-known ornithologists, principals or superintendents of educational or zoological institutions, officials or members of zoological or natural history organizations, or instructors in zoology in high schools, colleges, or universities, from whom may be obtained information respecting the applicant's status as a scientific investigator. The applicant must furnish such other information touching his fitness to be entrusted with a permit as may be called for by the Secretary.

3. A permit may limit the number and species of migratory birds or their nests or eggs that may be taken thereunder, and the places where, time when, and means by which they may be taken, and may authorize the holder thereof, when possessed of an equivalent State permit, to possess, purchase, sell, exchange, and transport migratory birds and their nests and eggs for scientific purposes but not to purchase or sell to any person not authorized by these regulations or by a permit issued thereunder to sell or purchase such birds, nests or eggs, or it may limit the holder to one or more of these privileges. Public museums, zoological parks and societies, and public scientific and educational institutions may possess, purchase, sell, exchange, and transport migratory birds and their nests and eggs for scientific purposes, without a permit, but no such birds, nests, or eggs shall be taken without a permit or purchased from, sold to, or exchanged with a person not authorized by these regulations or by a permit issued thereunder to sell, purchase or exchange them. The plumage and skins of migratory game birds legally taken may be possessed and transported by a person without a permit.

4. A taxidermist, when authorized by a permit issued by the Secretary, may possess any migratory bird, or nest or egg thereof delivered to him for mounting or other preparation by any person who has legally taken or legally possesses it and may transport such bird, nest or egg in consummation of such purpose when likewise authorized by the State in which such permittee is operating. Every such permittee shall keep books and records correctly setting forth the name and address of each person delivering each migratory bird or nest or egg thereof to him, together with the name of each species, the date of delivery, the disposition of each such bird, nest or egg and the date thereof, and such books and records shall be available for inspection at all reasonable hours on request of any authorized representative of the Department of Agriculture.

5. No permit issued by the Secretary authorizes the taking, possession, sale, purchase, exchange, or transportation of any migratory bird, or nest or egg thereof, unless the permittee has in his possession while exercising any such privilege a valid, subsisting permit of equivalent tenor issued to him by the State in which he proposes to operate. No permit issued by the Secretary authorizes the transportation of any migratory bird, or part, nest or egg thereof from Mexico into the United States unless such bird, or part, nest, or egg is accompanied by a Mexican export permit. Permits are not transferable and are revocable at any time in the discretion of the Secretary. A permit revoked by the Secretary shall be surrendered to him by the person to whom it was issued on demand of any employee of the United States Department of Agriculture authorized to enforce the Migratory Bird Treaty Act. Whenever requested by the Chief of the Bureau, the permittee shall submit to him such report of his operations under the permit as may be called for, and in any event shall file with the Secretary, on a form provided therefor, on or before January 10, a full report of his operations during the preceding calendar year. Failure to make the reports herein provided for will be cause for revocation of the permit.

Limitations.

Taxidermists.

Books and records
to be kept

Inspection

State permits.

Revocation.

Reports.

Marking packages.

6. Every package in which migratory birds or parts, nests or eggs thereof are shipped wholly within a State or Territory or the District of Columbia, or in which such birds, parts, nests, or eggs are transported by any means whatever from one State, Territory, or the District of Columbia to, into, or through another State, Territory, or the District of Columbia, or to a foreign country, for scientific purposes shall be plainly and clearly marked, labeled, or tagged on the outside thereof to show the name and address of the consignor and consignee, the contents of the package, the number of the permit under authority of which it is transported, and that the specimens contained therein are for scientific purposes.

Permits to kill migratory birds injurious to property

Regulation 10.—PERMITS TO KILL MIGRATORY BIRDS INJURIOUS TO PROPERTY

Community injury.

Community injury.—When information is furnished the Secretary that any species of migratory bird has become, under extraordinary conditions, seriously injurious to agriculture or other interests in any particular community, an investigation will be made to determine the nature and extent of the injury, whether the birds alleged to be doing the damage should be killed, and, if so, during what times and by what means. Upon his determination an appropriate order will be made.

Specific injury.

Specific injury.—Upon receipt by the Chief of the Bureau, or the Regional Director of the Bureau of Biological Survey in the region where the injury occurs, of information from the owner, tenant, or share cropper that migratory birds are injuring his crops or other property on the land on which he resides, together with a statement of the location of the land, the nature of the crops or property being injured, the extent of such injury, and the particular species of birds committing the injury, an investigation will be made and if it is determined from such investigation that the injury complained of is substantial and can be abated only by killing the birds, or so many thereof as may be necessary, a permit to kill the birds will be issued by said Chief of the Bureau or Director, in which permit will be specified the time during which, the means and methods by which, and the person or persons by whom the birds may be killed, and the disposition to be made of the birds so killed, and such other restrictions as may be deemed necessary and appropriate in the circumstances of the particular case: *Provided, however,* That in every permit issued as aforesaid it shall be specified that no such birds shall be shot at or killed at any time or in any manner not authorized by the laws of the State in which such permit is effective; and as to migratory waterfowl, that they shall not be shot at or killed (1) from any blind, sink, pit, or any other device or means of concealment, whether natural or artificial, movable or stationary, or on land or water; (2) by means of any gun larger than no. 10 gage, or of any gun to which a silencer has been attached or otherwise affixed; and (3) by the use of decoys of any description, or of traps or nets of any kind.

Proviso.
Restriction.

Records to be kept.

Every person exercising any privilege hereinbefore in this regulation provided for shall keep an accurate record of all migratory birds killed by him and whenever requested by the Chief of the Bureau or by the Regional Director shall submit promptly, on a form provided by the Bureau for the purpose, a report correctly stating the species and number of each species of migratory birds killed by him and in any event shall submit such report to the Regional Director on or before January 10 of each year. Failure to submit a report as required by this regulation will be sufficient cause for revocation of any permit or withdrawal of any privilege accorded any person failing to make the report.

Regulation 11.—STATE LAWS FOR THE PROTECTION OF MIGRATORY BIRDS

Nothing in these regulations or in any permit issued thereunder shall be construed to permit the taking, possession, sale, purchase, or transportation of migratory birds, or parts, nests, or eggs thereof contrary to the laws and regulations of any State or Territory, or the District of Columbia, made for the purpose of giving further protection to migratory birds, their nests, and eggs when such laws and regulations are not inconsistent with the conventions between the United States and any other country for the protection of migratory birds or with the Migratory Bird Treaty Act and do not extend the open seasons for such birds beyond the dates prescribed by these regulations.

State laws for protection of migratory birds.

Regulation 12.—TRANSPORTATION OF GAME MAMMALS TO AND FROM MEXICO

Game mammals, parts or products thereof, taken in and transported from a State, Territory, or the District of Columbia may be transported to Mexico, if the importation thereof is not prohibited by law or regulation of that country, upon presentation to the Collector of customs at the port of exit of the certificate of an official, warden, or other officer of the game department of such State, Territory, or District, that such game mammals, or parts or products thereof, which must be listed in the certificate, were taken or acquired and are being transported in compliance with the laws and regulations of such State, Territory, or District.

Transportation of game mammals to and from Mexico.

Live game mammals authorized by a special permit issued by the Secretary of Agriculture, pursuant to Section 241 of the Penal Code, to be imported, and the dead bodies, parts or products of game mammals, proceeding from Mexico, if accompanied by a Mexican export permit, may be transported into the United States, but their possession in any State, Territory, or the District of Columbia will be subject to the laws of such State, Territory, or District.

Special permits.
18 U. S. C. § 391.

The Migratory Bird Treaty Act Regulations approved July 31, 1918 (40 Stat. 1912) and all amendments thereof are hereby revoked, but all regulations heretofore adopted and approved pursuant to said Act closing areas of land and water or of land or water adjacent to migratory bird sanctuaries, refuges, reservations, and breeding and feeding grounds to the taking of migratory birds, and all orders and permits of the Secretary of Agriculture heretofore made or issued pursuant to said Act and now in force authorizing the killing or other disposition of certain species of migratory birds when injurious to crops and other property and interests and the taking, possession, sale, purchase, exchange, or transportation of migratory birds and their nests and eggs for scientific purposes, and migratory waterfowl for propagating purposes, are hereby continued and extended in full force and effect as regulations, orders, and permits adopted and approved or made or issued hereunder.

Former regulations revoked
40 Stat 1812

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States Department of Agriculture to be affixed.

DONE at the City of Washington this 26th day of July, 1937

[SEAL]

(Signed) M. L. WILSON
Acting Secretary of Agriculture.

AND WHEREAS upon consideration it appears that approval of the foregoing regulations will tend to effectuate the purposes of the aforesaid Migratory Bird Treaty Act and result in reducing the annual kill of migratory game birds:

Approval and proclamation.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby approve and proclaim the foregoing regulations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this thirtieth day of July, in the year of our Lord Nineteen hundred and thirty-seven, and [SEAL] of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

CAPITOL REEF NATIONAL MONUMENT—UTAH

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

August 2, 1937
[No 2246]

Capitol Reef National Monument,
Utah
Preamble

WHEREAS certain public lands in the State of Utah contain narrow canyons displaying evidence of ancient sand dune deposits of unusual scientific value, and have situated thereon various other objects of geological and scientific interest; and

WHEREAS it appears that it would be in the public interest to reserve such lands as a national monument, to be known as the Capitol Reef National Monument:

National monument set apart.

34 Stat 225
16 U. S. C. § 431.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the act of June 9, 1906, ch. 3060, 34 Stat. 225 (U. S. C., title 16, sec. 431), do proclaim that, subject to all valid existing rights, the following-described lands in Utah are hereby reserved from all forms of appropriation under the public-land laws and set apart as the Capitol Reef National Monument:

Description

SALT LAKE MERIDIAN

- T. 28 S., R. 5 E.,
All of sec. 34 north of the right-of-way of State Hwy. No. 24;
secs. 35 and 36.
- T. 28 S., R. 6 E.,
sec. 31 and the west half of sec. 32.
- T. 29 S., R. 5 E.,
All of secs. 1 and 2 north of the right-of-way of State Hwy. No. 24.
- T. 29 S., R. 6 E.,
secs. 1 to 4, inclusive;
All secs. 5, 6, 8 and 9 north of the right-of-way of State Hwy. No. 24;
secs. 10 to 15, inclusive;
All of sec. 16 north of the right-of-way of State Hwy. No. 24;
secs. 22 to 25, inclusive;
sec. 26, E½ and N½NW¼;
sec. 27, N½N½;
sec. 35, NE¼;
sec. 36.

- T. 30 S., R. 6 E.,
 sec. 1;
 sec. 12, E½.
 T. 29 S., R. 7 E.,
 secs. 5 to 8, 17 to 20 and 29 to 32, incl.
 T. 30 S., R. 7 E.,
 secs. 4 to 9 and 15 to 17, incl.;
 sec. 18, E½ and NW¼;
 sec. 19, NE¼ and N½SE¼;
 sec. 20, N½ and N½SW¼;
 secs. 21 to 23, and 26 to 28 incl.;
 sec. 29, E½E½;
 secs. 33 to 35, inclusive, containing approximately 37,060
 acres.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

Warning against unauthorized acts.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of this monument as provided in the act of Congress entitled "An Act To establish a National Park Service, and for other purposes," approved August 25, 1916 (ch. 408, 39 Stat. 535, U. S. C., title 16, secs. 1 and 2), and acts supplementary thereto or amendatory thereof.

Supervision.

39 Stat. 535
 16 U. S. C. §§ 1, 2.

Nothing herein shall prevent the movement of livestock across the lands included in this monument under such regulations as may be prescribed by the Secretary of the Interior and upon driveways to be specially designated by said Secretary.

Livestock drive-
 ways.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 2^d day of August, in the year of our Lord nineteen hundred and thirty-seven and
 [SEAL] of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President
 CORDELL HULL
Secretary of State.

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